

**ENVIRONMENT, LAND ACQUISITION AND PLANNING COMMITTEE
of the
Suffolk County Legislature Minutes**

A regular meeting of the Environment, Land Acquisition and Planning Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, on April 17, 2001.

Members Present:

Legislator Dave Bishop - Chairman
Legislator Vivian Fisher - Member
Legislator Ginny Fields - Member
Legislator Cameron Alden - Member
Legislator Allan Binder - Member

Members Not Present:

Legislator Michael Caracciolo - Vice-Chair
Legislator George Guldi - Member

Also In Attendance:

Paul Sabatino - Counsel to the Legislature
Jeanine Dillon - Aide to Legislator Bishop
Jim Dobkowski - Aide to P.O. Tonna
Frank Tassone - Aide to Legislator Crecca
Nicole D'Angelo - County Executive's Office
Ben Wright - Suffolk County Department of Public Works
Vito Minei - Suffolk County Department of Health Services
Stuart Lowrie - TNC
Lauretta Ficher - Suffolk County Planning
Dewitt Davies - Suffolk County Planning
Amy Juchatz - Suffolk County Department of Human Services
Jillanne R. Burns - Cornell Cooperative Extension
Bill Sanok - Cornell Cooperative Extension
Allen Grecco - Real Estate Director
Carolyn Fahey - Economic Development
Rich Latkovich - Suffolk County Community College
Magnus Olsson - Swedish Counsole
Don Eversoll - Suffolk County Planning Commissioner
All Other Interested Parties

Minutes Taken By:

Patricia Patriss - Court Stenographer
(*The meeting was called to order at 3:31 P.M.*)

CHAIRMAN BISHOP:

We now have a quorum. Please rise for the Pledge of Allegiance to be led by Legislator Binder.

Salutation

Thank you Legislator Binder. This is the April 17th meeting of the Environment, Land Acquisition Committee. We have a presentation that was put over from the last meeting from Cornell Cooperative Extension. Since they've patiently waited weeks instead of minutes, we will bring them right up.

MR. SANOK:

Good afternoon. I'm Bill Sanok with Cornell Cooperative Extension of Suffolk County and I'm currently serving as Chairman of the Community Advisory Committee, which is the one implementing the pesticide phase out law for Suffolk County. Prior to that, prior to this year, it was the Suffolk County Pest Management Committee, which met for the previous two years and came up with an annual report as required by the law.

The committee has been phased into the CAC and we've had four meetings and we're starting to address the issues that had been identified in

the annual report. And I'd like to turn it over to Jillanne Burns who's on our staff, started about a year and a half ago, and her major role this past year was to put together the annual report. So I'll turn it over to Jillanne.

MS. BURNS:

Good afternoon. The annual report was written with regards to the law with Section 380-5E that required that the Pest Management Committee put together a report detailing the efforts have been made on behalf of the County throughout the year 2000. This report has been sent out to all of the Legislators. It details what the County Departments have been doing with regards to the law with the pests that they've had and the efforts that they've made with the pesticide phase out, period.

If anybody has any questions about this report or needs more information, basically what we did was we sent them a survey to fill out, that detailed the pest problems that they had, the issues that they had with the phase out, and also to talk at the successes that they've had over the course of this year.

From that report we received information from the Highways, the Parks, the golf courses, DPW, Fleet Management, the -- also the County buildings and I'm trying to remember -- the airport also. So we compiled that into a report and that was finished at the beginning of this year.

MR. SANOK:

You might mention the issues that were identified.

MS. BURNS:

There were definitely some issues that were identified that will be further addressed by the CAC committee and we've begun to that already. Those are listed in the preface to the report. Thank you.

MR. SANOK:

The other one I've asked to make a comment on this is Amy Juchatz who works for the Health Department. She's been working with us very closely.

CHAIRMAN BISHOP:

We have another microphone.

MR. SANOK:

She's working very closely with our committees and she'll address some of the issues that we're facing immediately and some that the both committees have taken as high priorities.

MS. JUCHATZ:

Thank you. My name is Amy Juchatz and I represent the Department of Health Services. I work in the Division of Environmental Quality under Vito Minei and I have been the designee on the community advisory committee for Dr. Bradley and so she asked that I come and bring up some issues that we have with the phase out law.

I wanted to start out just mentioning we -- the Local Law 34 1999 required the Department of Health Services to develop a pest management plan, which we have done. I brought copies here if anyone is interested. We prepared this plan, this management plan with assistance from Cornell Cooperative Extension and we also had it reviewed by, at that time it was the Pest Management Committee that was meeting and we had them review that and comment for us.

This plan was distributed to all Department and agency heads in the Suffolk County and then also to the Clerk of the Legislature. But basically the intent of the plan was to address pest management control strategies that were consistent with the local law and did this primarily did this through monitoring and prevention as the emphasis.

The department of Health Services does have some public health concerns regarding the implementation of the phase out law. We are working with the Community Advisory Committee that's been meeting fairly regularly now, and we believe that the CAC, as Bill has mentioned, will be coming forward with some recommendations that have come out of that committee addressing some of our concerns.

We're encouraged with the productiveness of these meetings and there's a great deal of information sharing going on and I think it's been a good experience and very professional in nature.

Some of our -- I wanted to highlight some of our issues. Questions have arisen both internally within the department and as well at these CAC Meetings, whether it was the intent of the law to cover medical care practices. And for example, issues have arisen in regard to control of lice and scabies, and this is a particular concern in

places like the jail or nursing home where people reside, and we're looking for some direction. Whether that was the intent of the law to address those kinds of practices or whether that could be perhaps an exemption to the law.

In addition, in the law the use of insect repellants is exempt for County Employees, but it doesn't exempt the use of insect repellants on, for example, inmates at the jail, visitors to parks, people who may be staying over at camps and you know, would they be -- would we need to prohibit them from the use of insect repellants. And in terms of public health we're concerned, you know, for the use and control of lime disease and perhaps some other mosquito luring diseases.

There are three other issues that we have that I think the CAC is going to be looking to in addressing and hopefully presenting something here at a later time. Those involve stinging insects and allergic reactions that individuals can have so we need to make sure that we do come up with control strategies that are really affective. In addition to poison ivy, again because of allergic or sensitizing reactions and also cockroaches, the control of cockroaches in concessionaire food establishments that are on County property.

Thank you for this opportunity.

LEG. ALDEN:
Mr. Chair.

CHAIRMAN BISHOP:
Sure.

LEG. ALDEN:
Hi. I don't know who to address it to, but on Page 6 of your Pest Management Plan you have Number 10, golf course emergencies. Now, I'm sure you're aware that last year we had a significant decline in the number of rounds that were played. And we had, at least to Legislative District Offices, and mine, I'm aware of a couple of others that received some complaints that the playability of some of the courses in Suffolk County was affected by things like dollar spot and things like that. And does this plan address that? Those are emergencies that within minutes or hours you can lose the whole golf course, --

MR. SANOK:
One of the things -- we were fortunate in hiring Jillanne Burns because her background before coming to us is in plant pathology, study of diseases in plants. And her interest certainly is in turf. And one of the things that I'll ask her to talk about is what she's done and how she's working with the Parks Department to address the issue.

MS. BURNS:
Thank you. At this point we have been working with pesticide

alternative projects where we're trying different organic practices for control of plant diseases. The study that we had last year got a little bit of a late start. We were planning on putting them out this week depending on if we get good weather, but at this point they're

really are not a lot of proven alternatives for control of turf grass diseases and that could potentially become an issue this year, but we are working on coming up with some. So it's just going to be -- take some time I think.

LEG. ALDEN:

Okay. One word of caution though, golf season just recently opened, and I went and visited two of our four golf courses and we could have a problem that really hits very quickly, and if it goes in the beginning of year we're going to see significant loss of revenue. And this year I don't think we can really afford to have any of that type of loss of revenue as we did sustain last year. So when is your timetable for developing some kind of recommendation?

CHAIRMAN BISHOP:

They're working --

MS. BURNS:

That's really --

CHAIRMAN BISHOP:

If I may interrupt, as the author of the law that you're directing your question to them, but --

MS. BURNS:

Thank you.

CHAIRMAN BISHOP:

-- they're really criticisms of the law that we passed, and --

LEG. ALDEN:

No criticism yet.

CHAIRMAN BISHOP:

Well, the law is designed to have a safety valve in the event of a golf course emergency, which is the eminent threat of property damage. So a superintendent is directed not to use pesticides, but if he sees that he has no other alternative then he is allowed to declare an emergency and proceed. The point is that we're trying to direct and guide the management of our property without the use of pesticides, but we recognize that at this point since the alternatives are not fully developed that there may be circumstances when they need to be used.

So at no point do I think it would be a fair criticism to say that the pesticide law, our attempt to direct phase out would be responsible for problems on the golf course because the superintendent can always revert to using pesticides --

LEG. ALDEN:

Okay, but --

CHAIRMAN BISHOP:

-- if he or she decides that it's necessary.

LEG. ALDEN:

I'm glad you brought it up because then just a small debate. We in Suffolk County are prohibited from even having certain types of pesticides and chemicals around. Now in the event of some diseases and some infestations, it's -- you've got to get to them within a matter of, some in minutes, others within the matter of hours, our a hour. In the event where we do not have these in on hand for the superintendent to go out in the middle of the night or early morning and things like that to even procure these things and then apply them.

And that's how fast it really goes sometimes. It's something that leads to almost like a disaster.

So that's something I'd like to explore with you then, Dave. It doesn't have to be here, but just so you're aware of the problem and the -- really the time frame that it takes off on.

CHAIRMAN BISHOP:

Yes. I'd be glad to explore it because the statute is designed to guide, but it's not designed to hamstring or handcuff the management of the golf course. So -- or any other property.

MS. BURNS:

Could I make a comment?

CHAIRMAN BISHOP:

Yes, absolutely.

MS. BURNS:

I'm sorry. I don't mean to interrupt this, but I think that we should also emphasize some of the other things that we're doing with working with this pesticide phase out on gold courses. And that is that we have hired one scout. We have another scout starting in May that their sole duty is to observe the practices that are happening on these golf courses and to be able to try and catch these things before they get out of hand so we can have a good idea as to what's going on.

So we are keeping track and monitoring for thresholds and trying to use integrated pest management practices before pesticides are being used. I understand your concerns.

LEG. ALDEN:

Okay. Now, have you been in contact with USGA Green Sections?

MS. BURNS:

Yes. I'm in contact with the --

LEG. ALDEN:

Good.

MS. BURNS:

-- USGA and with Cornell University.

LEG. ALDEN:

Good. Because they'll tell you it's a matter of minutes sometimes.

MS. BURNS:

Right. I absolutely understand --

LEG. ALDEN:

Good.

MS. BURNS:

-- because of my position with being a plant pathologist and working with biological control, so.

MR. SANOK:

Talk about at the training you have for the --

MS. BURNS:

What?

MR. SANOK:

The training you had for the employees in the golf courses.

MS. BURNS:

Oh, yes. We're also having -- we have had some trainings for the employees of the golf courses with alternatives for grub control and we are planning on doing that with diseases as well this year.

I do understand your concerns. Believe me. I promise. But, yes, thank you.

MR. SANOK:

I might comment on the Pest Management Committee since we've been meeting for a couple of years, that has been high on the list of discussion along, right along with the, you know, with Dominick Ninivaggi on mosquitos and Vector Control. But the golf courses have certainly been a major topic at almost every meeting that we've had. One of the things that we've agreed to with the CAC, Community Advisory Committee, last week, we met at the County farm to meet with the people from the jail that was for the Health Department and one of the Security Correction Officers to talk about that issue.

In the future, in about either May or June, probably in June, we're going to meet at West Sayville so we can address the issues right on site, and as part of that Jillanne did mention she does have a demonstration on the practice green looking at various materials in a regular experimental layout, which is also duplicated at Cornell. So we're not ignoring the issue. Do we have any good answers right now? The answer is, assume we don't.

LEG. ALDEN:

No, but what you're saying is that you did see what happened last year and now we do have an understanding that we're going to look to prevent that.

MS. BURNS:

Absolutely. There was a great deal of damage last year due to extensive dollar spot. And yes, the turf is recovering at this point, but if the whether persists like it did last year, we will probably see something like that again.

LEG. ALDEN:

Right.

MS. BURNS:

Thank you.

LEG. ALDEN:

Okay.

CHAIRMAN BISHOP:

Okay?

MR. SANOK:

I'd just like to comment. If you'd like to invite us back any time, or if you have any questions on it, either --

CHAIRMAN BISHOP:

I think you should come back periodically.

MR. SANOK:

Okay.

CHAIRMAN BISHOP:

I mean, at least twice a year, but I know there's CAC. You're working very well, and I'm hearing that and that's encouraging. One question I have is a general question, in the last couple of years are you aware of any practices by the County that have changed and the result has been -- has not been detrimental. In other words, we used to use pesticides to address a certain situation, now we don't and there has been no property damage or other significant harm.

MR. SANOK:

We've talked about this -- well, I think the whole pesticide industry, the whole pesticide use, and the pest management, and I shouldn't say just -- because industry sounds too negative, but I mean, when we're

looking at integrated pest management there's a tremendous amount of interest throughout the Country on this, and I think a lot of people are looking at Suffolk County when the law was passed to see what we we're doing because Westchester now has a similar law, I think Albany County, a couple of western -- and Erie County also has a phase out law so there's a lot of interesting in what we're doing and a lot of interchange.

If your question is are we using less pesticides and are we getting good management, in some areas no question about it, we are. And I think we could give you a specific examples I think mosquito control is probably a better one because we're not using as many adulticides, spraying by air. I think that's a really good plus, but I think when you start looking at it we need to look at all -- what works well in other areas we need to be trying here.

And I think as far as getting back to the original question on golf courses I think the dollar spot problem and some of the other diseases are the accumulation of things because the Parks Department has not been spraying anywhere near what other commercial golf courses have

been spraying and I think that's one reason why the County -- they don't have to opportunity nor they have budget to do as much control. And I think that -- I don't think that's good or bad I think that's just the reality of it. And I think that's one reason why we're dealing with a few problems, but that's something that's a challenge for us and I think we need to constantly address it and find good answers for it.

CHAIRMAN BISHOP:

Ms. Burns.

MS. BURNS:

There's also the case that the DPW Operations and Maintenance says that they have now -- they do now -- sorry. They mainly do baits and gels instead of actually doing pesticide sprays. Now granted, the baits and gels are also pesticides, but they are a less or a risk to people than the regular sprays.

MR. SANOK:

Within the building --

MS. BURNS:

Within the building system, the County building system. So that in terms of that is kind of a success.

CHAIRMAN BISHOP:

Okay.

MR. SANOK:

Thank you.

CHAIRMAN BISHOP:

Thank you, very much. Thank you all. See you in a few months. We have two cards before we go to the agenda. Donald Eversoll.

MR. EVERSOLL:

Thank you for permitting me to come to speak before you today.

CHAIRMAN BISHOP:

Good afternoon.

MR. EVERSOLL:

My name is Don Eversoll. I serve on the Suffolk County Planning Commission and have served on it for the past ten years. The last seven of which I've been elected Chairman. The last meeting before you we had one of our members who had served on the Commission by the name of -- a fellow by the name of Dick London who has served on the Commission for seven years and he was a holdover from last year and he

came before you I believe at the last meeting.

Many of you do not know that he had just been released from the hospital undergoing open heart surgery four days before he attended and came here against the advice of his doctor, but he felt it was important enough to attend this meeting because he had been a holdover and he came here with his nurse and was under heavy medication. Normally in these voluntarily positions it's fairly perfunctory.

Obviously the roles had changed in his case and there were a number of questions that were asked him and frankly he was not as prepared and I guess given the circumstances, the trauma that he had been through was I guess did not answer those I guess questions to your satisfaction.

A number of issues were raised as to the, I guess the fact that the Planning Commission is a rubber stamp for development proposals. The last twelve months we've had fifty change of zone or land use under the State Sections A-14 through A-23. Of those fifty that came before us, thirty nine were sent back with a recommendation of disapproval or seventy-eight percent. Of those eleven that were approved, two were consistent with a revisited town plan, and several others had ingredients of what is now called Smart Growth. That's the new phrase du jour. We used to call it good planning, but they incorporated those elements of Smart Growth which enabled user friendly walking to shopping incorporating mixed uses in development of downtowns.

In the -- under Section A-24 of the State law which relates to -- and I guess if that's a rubber stamp, that's not a very effective rubber stamp with that kind of rejection. Under Section A-24, which is a subdivision approval, there are -- there were nineteen that came before us. Thirteen of which were approved and six were disapproved and your question may be, well why did the ones get approved? That does seem inordinately high. The reason is that they adhere to the standards and the -- for the proposed, and regulations for proposed subdivisions that the Planning Commission has issued and has issued since I guess the beginning of 1988 and has been amended roughly every couple of years and has been given to the engineers, architects, land planners such that we can see applications that are consistent with what we consider good planning.

Along the various lines the Planning Commission has had a number of applications particularly from the Town of Riverhead. One for the Riverhead Town Center. If we recall in Riverhead Town Center there's Route 58, which is a terribly overcrowded route today and we have recommended on any number of occasions that is Town set aside or do a -- first of all do a traffic study to understand what the long-term consequences of traffic are going to be because ultimately the County is going to be charged with having to acquire property and improve it to expand Route 58. It is obviously very -- if that land could be set aside now, dedicated to the County and perhaps even improved under a long-term program, it would save the County a lot of money.

The Planning Commission takes its charge very seriously and those members that serve, serve with a great amount of integrity and hard work, and if there are any questions that I might be able to answer, I'll be happy to do so.

CHAIRMAN BISHOP:

Legislator Fields has a question. Before I turn it over to other Legislators there's only two points. On the -- regarding this committee, you know, we do pride ourselves in our ruthlessness, but believe me, if somebody has open heart surgery four days prior they would certainly get an excused absence from attending this meeting, and that certainly was available to Mr. London, and to any anybody else who finds themselves in that situation, indeed. I forgot to

mention at the beginning of this meeting that Legislator Guldi has an excused absence today.

The second point is regarding your observation on Smart Growth. I couldn't agree with you more. It really is good planning wrapped up in a new package, and it's something that needs to be more fully defined and Legislator Fields put forward a significant effort towards that last year of Legislation that has the County articulating specifically what its Smart Growth Objectives are going to be and Director Isles is here and he can speak to that at a later point. Legislator Fields you had a comment or a question.

LEG. FIELDS:

When Dick London came before the Committee last time, prior to his appearance I went back for over a year in the minutes of all of the meetings that you had had, and my observation was that when you look at his resume he really didn't have a background that I felt was of the caliber that is necessary to be on that commission. That was Number 1.

And Number 2, when I read all of the comments in your round tables the only thing that he ever put forward was information about West Nile Virus and horses, and I know he's an equestrian. And, you know, I think West Nile Virus issues about horses belong more on another board of some other sort rather than on the Planning Commission. In regard to your comments about Smart Growth used to be called good planning we would not have put a bill in a resolution asking Suffolk County to alter the way that we've been doing things and use Smart Growth if it had also been Smart Growth, you know. And some of the terms that people have used is that we have progressed, in quotes, and it's being called, you know, it's been called dumb growth. We've allowed a lot of things to happen that I think you even might look at and honestly say, you know, I'm not sure that those things should have been done.

MR. EVERSOLL:

Absolutely.

LEG. FIELDS:

Right. So the purpose of putting the legislation in was to stop and look and say wait a second. We need really need to define what we're doing and possibly change what we're doing and so forth.

And the other point that I wanted to make is that I've been a board member on maybe ten different boards, and the only time, Number 1 that I would agree to serve on a board is if I could be an asset and I could be a participatory member of that board. If I can't give something to the job that I'm doing then I don't belong there. And although I have the greatest respect for Steve Jones and Tom Isles, then you don't need a board if you you're just going to listen to the recommendations of the Planning Commissioner.

So what I look for is people not to be a rubber stamp. Not to just go on the direction. I mean if the Presiding Officer put forth everything and we all sat and said, okay, yes, we agree, then we don't have a Legislature and we don't have a board if everybody agrees.

So I'd like to see some disagreement. We may not all agree to disagree, and certainly I've not agreed with everything that everybody agrees with, and I think that's healthy, and I think that we must have that. And so when I look at someone who comes before us I have asked as a newly elected Legislator over the past two years not to agree to just have appointments and reappointments, but I'd like to see them physically in front of us, look at their resume.

I've asked for resumes, whether or not it's a reappointment, to evaluate are we doing the right thing. It's the same thing as Smart Growth. So let's look at it and say well, is this person the right person for the job, and perhaps there is someone who may add a whole lot more to this board. And so if there has been that kind of questions and comments and non-rubber stamping then maybe we should be asking for verbatim minutes of the Planning Commission. I don't know.

CHAIRMAN BISHOP:

We've done that with the Vanderbilt.

LEG. FIELDS:

And that's something I just passed over to our Legislative Counsel to question whether or not we should indeed have, especially now that we're looking at Smart Growth and we're changing and have changed the landscape of Suffolk County. So maybe we should have verbatim minutes. And I think that we should be taking the jobs of the Planning Commission very, very seriously. And I don't think that these appointments should be made just because. I think they have to be people who are going to really truly be an asset and will lend something important to the commission.

And you commented about it being perfunctory to usually agree to approve these appointments, but that's the same as a board member whose perfunctory orally approving any kind of thing that comes before the board.

MR. EVERSOLL:

I certainly don't have a problem with tough questions, and -- but I think there was -- for his experience it was a -- first of all, he came here, he did not expect that. I think he would have indeed asked for a, you know, an excused absence if you will until he were, I guess, healthier or would have been able to answer those questions. Just for your --

LEG. FIELDS:

But again, I also did look at the minutes for the past year and so it wasn't -- I didn't make my decision on his responses solely. I made them on my research, my homework, my evaluation, and all of the work that I've done that I don't have to do, but I wanted to make sure that the person is the right person for the job just as an administrator in the past. If I hired someone, I didn't hire them on a piece of paper. You know, I had to look at them, listen to them, ask them questions and then evaluate and decide.

MR. EVERSOLL:

Like I say, just for your information back in March of last year the Commission adopted a Smart Growth, Smart Communities through Smart Growth booklet and due to your, I guess, action earlier last year they adopted the Smart Growth Policy Plan for Suffolk County. So the Commission is certainly aware of that. And rather than to fence over whether it should be Smart Growth, good planning or whatever, it seems to me that what we need to do is reinvigorate our downtowns, use some adoptive reuse of properties, deal with affordable housing, deal with affordable housing, deal with those issues okay, that impact us as a society as opposed to, you know, letting it, you know, letting sprawl go on.

I mean, I'm a developer. I mean, I build houses. I'm proud that I build houses. I've built houses for over thirty-five hundred families in Suffolk County over the past twenty-eight years now. I know you don't think I'm that old, but it's, you know, I've done that. I'm proud of what I do.

Unfortunately, what happens is we live on an Island with finite land. I mean, it seems to me that it's absurd that we continue to scatter our housing and our development as opposed to clustering it intently and not look at some of the uses and land uses that we did starting about I guess eight or nine years ago when we adopted the Pine Barrens Act and I -- during that time I worked on the -- I was a member of the Consensus Committee and Co-chair of the Transfer of Development Rights Committee and we took a hundred thousand acres or a hundred and five thousand acres, we said we'll save fifty-two thousand of it and leave pristine, never touch it, and transfer development out onto those other properties that aren't as important.

And as we know that in order to promote biodiversity we need to have logarithmic increases in the amount of land not just in order to create biodiversity. It doesn't help us to save twenty-five acres there, eight acres there, seven acres there, if we're looking at creating biodiversity. What we need to do is, take compact properties, compact areas so that we can add to them, if you will, so that there becomes real biodiversity with it. And unfortunately that doesn't happen. I mean, this seems to be on a haphazard way as opposed to a comprehensive plan, and the best use of our resources.

LEG. FIELDS:

I don't necessarily disagree with you. And I did attend all three of those hearings, the --

MR. EVERSOLL:

I know you did.

LEG. FIELDS:

-- the Smart Growth hearings and I don't recall seeing any member from the Planning Commission attend and one of the hearings, but those facts did come before us and others were added to it. It's still a work in progress and hopefully we will see it in the next couple of months approved and we can look forward to a Smart Growth Policy for Suffolk County.

CHAIRMAN BISHOP:

Legislator Binder.

LEG. BINDER:

Mr. Eversoll, straight out, are you in the pocket of developers? Are you, you know, are you doing things -- I read a Long Island Business News article wherein you're basically being accused of being in the pocket of developers and you need to go as Chairman of the Planning Commission. Can you tell me -- I mean, do you -- I mean, I know you're a developer yourself. Are you in the pocket of them and are just kind of there to make sure development happens haphazardly as fast as we can so we can just kind of as an old thing I've heard before I was a Legislator just as I was coming on board someone used to talk about paving over Long Island all the time. Is that what you're there for?

MR. EVERSOLL:

Hardly. I think that if you've look at -- if you reflect upon the comments of the -- or the minutes of the meetings that we've had is that we've had some of us are more vocal than others. Mr. London is not as vocal as perhaps I am or some of the other members, but clearly not. I mean, we've looked at -- as you indicated I'm a developer. I'm proud of that fact. We don't want to pave over -- we want to minimize, okay, development such that it be in those areas that become efficient for the County and the towns to provide services.

As I say, it seems you know, for every mile or road we pave we're going to have to have fire trucks, police department, garbage trucks, you name it, buses, school buses, and to the extent that we can make our developments more compact we come up with a -- we're certainly, you know, much more efficient uses of land and uses of our resources.

I have been accused by the developmental -- my some of my colleagues in the developmental committee of being vicious toward them. I guess if I'm not liked by either side I must be doing a fairly decent job. I serve as Chairman by the vote of my colleagues. So I -- there's no ex officio reason for that. Apparently they've seen fit to continue to re-elect me.

LEG. BINDER:

Fifty change of zone land use, thirty-nine were sent back for disapproval. That's seventy-eight percent as you said. Do you happen to know any of those developers who you sent back disapprovals on, or are they just kind of people you never knew?

MR. EVERSOLL:

I probably new the lion's share of them.

LEG. BINDER:

And I assume they weren't particularly happy that you were part of a group, and I assume of these thirty-nine you had a lot to do with voting against them?

MR. EVERSOLL:

I -- yes, I did.

LEG. BINDER:

How about Mr. London?

MR. EVERSOLL:

I believe most of the -- as Legislator Fields has indicated, there's a recommendation by the staff and we do have a debate on it. Some of them are fairly perfunctory. I mean, we have standards in our land use and if it violates certain standards it's a no brainer. I guess I can be accused of having no brainers without much effort, but those that are of controversy there's a vigorous debate and for the most part the staff's recommendation is upheld because it's based on good planning.

LEG. BINDER:

I assume you supported Mr. London's reappointment?

MR. EVERSOLL:

Yes, I would support his --

LEG. BINDER:

I was wondering if maybe from your view his contribution, can you talk a little bit about -- does he contribute, is everything -- all the contribution basically on the record? I mean, a lot of times here you'll find a lot of Legislators very quiet for a number of meetings, but I know I hear from them. I know I talk to them. I know they have input into the system, but sometimes you just really don't hear, and if you were to read through the transcripts you probably wouldn't see them there.

MR. EVERSOLL:

Dick is not the most vocal person. However, he does -- certainly in our -- in side-bars if you will, or I guess after watching the O.J. Trial we all know what a side-bar is, but in those kinds of discussions, he participates. He attended I believe thirty-five of the last thirty-six meetings. So he does care about it. He does participate in it. Are these the fifteen wisest people that could be on a commission? Probably not, but they all represent their interests, their areas.

And as you know there are, statutorily, because of home rule there's one from each town. That's ten. There are two from villages. One over five thousand and one under five thousand in population and then there are three at large, and who are appointed by the County Executive. So it take as fairly diverse group. I should say just recently we worked on a plan for Lindenhurst to develop and primarily, particularly in reinvigorating downtown areas we need to provide parking because we are captives of our automobiles. Regrettably we don't walk from our homes to the village and back. Because of our sprawl we live -- typically the rule is you need to live -- you need to be about between three eighths and a quarter of a mile to be user friendly from walking.

Our densities, typically our densities other than in some of the villages don't incorporate that. So in order to reinvigorate Lindenhurst and downtown, we made some recommendations of parking particularly where it relates to the train station so that these facilities could be open and free parking during non train hours,

weekends and etcetera. So we've, you know, I guess, you know to that

affect I guess it's a long winded way of saying no, I'm not in the pocket of developers, and that I think that we certainly try to have intelligent discussions about these issues. On major properties I go out, you know, the weekend before when I get the items that are going to be on the agenda to look at them myself. I am familiar. Since I'm in the business I'm familiar with Suffolk County, I travel. I know all the back roads, or most of the back roads so as far as those major issues I want to, if I'm not immanently familiar with it, I go see it myself.

LEG. BINDER:

Mr. Parr, he's on the board, is he voting kind of along the lines of you or he's voting more disapprovals than you are? Do you find him more antidevelopment or more into whatever we're calling Smart Growth these days?

MR. EVERSOLL:

As I indicated before most of the -- and as Mrs. Fields can attest to, most of the decisions are unanimous. If there's an abstention there may be an abstention because there's a board member on the town in which that action is in his jurisdiction, his or her jurisdiction so they have to abstain, but for the most part they're unanimous. Maybe there's one vote against or contrary, but for the most part it's -- we try to reach a consensus.

LEG. BINDER:

You said you were involved with the Pine Barrens Legislation and basically helping to --

MR. EVERSOLL:

Yes.

LEG. BINDER:

-- save the -- well, talk about your role a little bit as a developer who, you know, it seems to me again is being accused of doing the opposite, of not saving land, but actually wanting to develop and not being for Smart Growth, again, whatever we call it these days. And I'm just curious how you would get yourself involved in such a role?

MR. EVERSOLL:

Well, I also serve as a Trustee of the Nature Conservancy and for the last --

LEG. BINDER:

Oh, the Nature Conservancy.

MR. EVERSOLL:

-- last four years I've been Vice-Chair of it. I was asked by Mike LoGrande who was heading up the, I guess, with the Water Authority head leading up the Pine Barrens plan to serve on as Co-Chair of the TDR Committee. I served with Jim Trip for three years from 1993 to 1995. Much of the consternation of my partners because I spent a tremendous amount of time on that. We identified properties. I think, again, it's important, you know, the problem that happens is we tend to fight these ad hoc battles as opposed to saying, let's save what's important, let's define that.

We can define what's important. Let's define what's important, let's save it and then as to the rest of it let's see where the development can go. We transfer development rights so that we are able to save not only the County but the State monies in acquisition of land so that we could move the development from certain parcels onto other parcels increasing density, which again furthers those principals of Smart Growth.

LEG. BINDER:

Do you find -- let me jump back to Mr. London. Do you find that at

this point because I don't know when he first got on, I can't speak to him when he first got on, but it's now six --

MR. EVERSOLL:

I believe it's seven years. I think he was a holdover from last year.

LEG. BINDER:

So in seven years, but I can only speak to him now, because I don't know -- whatever his background is he's been there seven years and basically been at all the meetings and has gone to basically school, my understanding is, taking classes. Do you find that he has an understanding of the subject, a deep understanding of the subject and what the Planning Commission is trying to get at. I mean, are you comfortable with his base of knowledge and his ability to grasp the subject.

MR. EVERSOLL:

I think that not only Dick, but all of the members take their charge very, very seriously. Some have a greater Dave Cassidy is the head of Planning in Southampton, Tom Thorson has been a -- was a planner in Southampton so I mean we have certain people who are professional planners as well as those people who are lay people and frankly the State Legislation that enables Planning Commissions talks about the fact that they represent a broad range of interests. Dick has developed more familiarity and expertise in it over the years, and as I say, is not -- maybe is not as vocal as others. You can see I don't have a problem with it, but there are others that are more vocal and again we try to reach a consensus amongst us.

We will have any number of motions. For instance, amendments in particular where we will go through it, have a discussion on the motion, sometimes withdraw the motion or the amendment, but to have a real understanding of what the consequences of our actions are. Not only are they intended, but unintended consequences.

LEG. BINDER:

And your actions are basically set by standards that are already in place. I mean, it's not like you're making these things up. My assumption is, and from what you said you talk about standards that have been adopted by the commission already. So what you're telling me is that it's a question of application of the standard in the particular case. And so your vote really goes towards that kind of application, whether it meets the criteria or doesn't meet the criteria.

MR. EVERSOLL:

I mean, typically what happens with those subdivisions, okay, that are rejected will relate to substandard lots. There's a party that in one area, maybe it's a half acre zoning, they've got three quarters of an acre and they want two half acre lots. Well, it's tough to make two half acre lots out of three quarters of an acre. So those are the ones that typically because they don't meet the area standard, and we adhere to that very rigorously. Particularly, in some of the south shore villages where there are -- where the zoning has been changed where it -- maybe it's more appropriate, maybe a person has twelve thousand feet, a third of an acre and they want two quarter acre lots. Again, even with sewer and all the other issues it doesn't relate.

So those are typically the ones that are rejected. The ones that are approved, and they're all approved with conditions. I mean, they condition upon meeting not only the standards, but other items that we can -- that we feel are germane to that application. Those then become approved.

LEG. BINDER:

So the eleven approved were -- just basically met those --

MR. EVERSOLL:

Thirteen, yeah.

LEG. BINDER:

-- and they not only met those, but they had conditions along with them.

MR. EVERSOLL:

That's correct.

LEG. BINDER:

My --

CHAIRMAN BISHOP:

Are you --

LEG. BINDER:

-- take --

CHAIRMAN BISHOP:

-- heading towards wrapping this up?

LEG. BINDER:

Sure, and I'd --

CHAIRMAN BISHOP:

You had eight questions and they're --

LEG. BINDER:

And so did the Legislator before me.

CHAIRMAN BISHOP:

She had two and I had one and --

LEG. BINDER:

Oh, okay. The Legislator before me just made comments. So let me finish with some comments rather than --

CHAIRMAN BISHOP:

Please --

LEG. BINDER:

-- questions. I voiced my concern at the last -- at that meeting where Mr. London was summarily beaten about the neck and head verbally by this Legislature, this Legislative Committee and I was pretty upset about it. I've been here going on now twelve years and a lot of people who've come before the Legislature have taken tough time, but I would say almost all of those, most of the percentage of those have been people who are County Employees, you know, kind of paid to take it. Where the commissioner is -- sometimes just employees, who are working, you know, on the County and the Bureaucracy, I mean, you know, answering for what they do and how they do it.

One of the things that we've been careful about I think, or generally have been before that meeting is people who are generally volunteers, people on our commissions that are not employees, they're not paid by the County to do their job are usually treated in somewhat of a different manner than I saw. And I have to say that it was very upsetting to watch -- I didn't know that Mr. London had open heart surgery but you could see that it was pretty apparent he was not really with it. It was, you know, he wasn't basically on his feet. It was pretty clear. He was pretty tired and not answering well, but the kinds of questions were kind of cross-exam questions, third degree questions, questions -- specifics about do you know what this is, do you know what that is, do you know what this is, and the funny thing is he answered the questions anyway when he was asked specifically what certain things are in real estate. He came up with answers no problem.

But then -- and also there was just a vitriolic third degree that I took issue with right on the record at the time. And I think it's

unfortunate that it happened. I am interested to learn more of why Mr. London had such a hard time with answering the questions, and I think, as I say it's unfortunate what we did, and it set a bad precedent and I think it sets a bad precedent and I think further it sets a bad precedent -- I read the article in the Long Island Business News which took off on you and others and supported one of the new members basically because he was good on Smart Growth, and I don't believe that. I believe it had to do with connections to other people. It had more of a political reason for his support than not. There's a lot of disingenuousness in what's going on and I think it's really unfortunate.

I don't know when your term is up, but I can tell you whenever it is I intend on fully supporting you, and working with my colleagues to make sure that your support is overwhelming because you've done, in my opinion, a fantastic job there, and I look forward to you continuing doing that. Thanks.

CHAIRMAN BISHOP:

All right. Is there any other questions? I have Legislator Alden.

LEG. ALDEN:

Yeah. I think just -- but in the interest of time I'm going pass and I'm going to direct some questions at a future date.

CHAIRMAN BISHOP:

Just a couple. Leaving aside the particular individuals on the Planning Commission, Mr. Chairman, do you think that the board as it's currently constituted balances appropriately the voices of developers and environmentalists?

MR. EVERSOLL:

You know, I think it's interesting because I think if you look at -- the board is pretty broadly constituted. We have people that are in town government, okay, either as -- either town employees, in some cases we have. So they represent -- and they're directly representing either the towns or village of which they're an employee. We have other people who are, other citizens who are interested in planning and other things. I don't think that there's a -- I think you've got people that take it very seriously.

Again, I think these are people with open minds. They come -- they come to it. They're willing to learn on it. Some have a more -- some have more formal training than others. But I think all in all they take their charge very, very seriously.

CHAIRMAN BISHOP:

Right. I believe that's true and I believe there certainly are a great many planners voices on the board, but I don't know if there are many advocates for the environment on the board, and maybe that's why for some of us the credibility of the commission suffers. You point out that a great many applications are indeed denied. Perhaps we don't know enough about those and I would invite you to send to us details about some of those.

For example, I don't know of any large player in the development scene who has had a significant application turned aside by this commission. You know who I'm talking about, Breslins, the Parrs, the Benjamins, yourself.

MR. EVERSOLL:

I can assure you --

CHAIRMAN BISHOP:

Can you cite something --

MR. EVERSOLL:

I absolutely can.

CHAIRMAN BISHOP:

That was the question that I asked --

MR. EVERSOLL:

I mean, the last land use change that we went in for was rejected by the commission. I wasn't on the commission at the time, but it was rejected by the commission. It was actually scaled -- had an apartment -- it was on the south service road of the expressway. Right next to us was an apartment project. We went in for a density of seven units an acre under an MF1 zoning in the Town of Brookhaven, and the commission recommended that it be approved. And we could have built three and a half units per acre under -- that was the existing zoning. Our application was for seven. It came back with a recommendation of five. So, you know, it was -- and yet right next to us they were built to a density of thirteen units per acre.

CHAIRMAN BISHOP:

So what I would invite you to do is, if you could send to committee members -- if you prefer to come back to this committee, you're always welcome -- examples of that so that we may have a better understanding of the work of the commission.

MR. EVERSOLL:

Mr. Breslin, just for -- Mr. Breslin had three, as a matter of fact, that were turned down.

CHAIRMAN BISHOP:

That's good.

MR. EVERSOLL:

There was one on Deer Park Road and Jericho Turnpike where he came and he wanted to put a big box store in. The first two hundred and fifty feet were zoned for shopping, commercial. So he could have done that. And then the balance was for residential. And what he could have done is put sixty thousand feet in on the strip center and developed, I believe it was about eighteen plus or minus lots in the rear.

The community in the rear didn't want the property to be developed for residential. So what he suggested is he would put an eighty thousand or ninety thousand foot big box store pushed further back and give some open space. And we felt that this is indeed a very good Smart Growth site for some sort of intensity of development because you could walk -- you have public transportation on Jericho Turnpike. You could walk to Deer Park Avenue because this is Deer Park Road, which is immediately west of that, and it was rejected. There was another one that he had on -- let's see because it's interesting, there was Deer Park Road, there was another one on Jericho Turnpike further east --

CHAIRMAN BISHOP:

That's Paul and Binder's district.

MR. EVERSOLL:

But in any event again, we recommended, you know, some sort of residential -- it was in an area where shopping was available. We could be user friendly to walk to shopping. You had public transportation and those are the kinds of sites that we feel are very, very appropriate for Smart Growth or good planning or whatever we wish to deem it today. But those are the kinds of places that we should do that.

CHAIRMAN BISHOP:

Okay. Well, thank you. So you're welcome to come back if you want to --

MR. EVERSOLL:

You know, I will give you specific --

CHAIRMAN BISHOP:

And I just want to say about my vote with Mr. London was based on my perception that the board doesn't strike a balance, and not to impugn the work of the individual members of the board who I think have the highest integrity. I don't think anyone's accusing them of railroading applications or predetermining applications, but I'm not sure that the board represents the kind of cross-section of citizenry that I would like to see on there and that's what's was the determining factor in my vote.

Anybody else want to say anything before we wrap this portion of our meeting up?

LEG. ALDEN:

As long as we're talking about votes --

CHAIRMAN BISHOP:

Sure.

LEG. ALDEN:

My vote was for Mr. London, and I thought that he provided that diversity.

CHAIRMAN BISHOP:

Okay.

LEG. ALDEN:

So --

CHAIRMAN BISHOP:

Okay. Very good.

LEG. FISHER:

I might as well say why I voted against him then.

CHAIRMAN BISHOP:

If you wish.

LEG. FISHER:

You've just stated in a very articulate manner a part of a mission of what I think is the mission of the Planning Board, which is to have a vision, a definition of what we're looking for and what good planning means. And I did ask Mr. London a similar question as to what I felt the mission of a Planning Board is and he seemed to have a very narrow focus, a piece by piece response, a very reactive rather than a proactive view. And because of that I felt that I didn't think that that was how I perceived the Planning Board to be and so I voted against him because I asked the same question of Mr. Isles, and Mr. Isles as you just did, responded in a very visionary and

articulate way, and I believe that on Long Island we must have a view of the necessity of having a master plan. And we can't continue to react to individual permits. We must have a broader view.

MR. EVERSOLL:

Absolutely.

LEG. FISHER:

And that's why I had voted against him. I wasn't comfortable with his responses.

MR. EVERSOLL:

Look, and I'm not -- we can leave this, but as I say, I think that one, he is not as perhaps vocal as perhaps I am. I can do that. I do that, but I think also given the medication, I mean it was -- he had his nurse here. I don't know if you --

LEG. FISHER:

We didn't know that.

MR. EVERSOLL:
Okay. I know --

LEG. BINDER:
You know now.

MR. EVERSOLL:
You certainly don't look sadistic so I don't believe that, but you know, I know you didn't know that, but I think that -- and look, you're entitled, you know, no one wants to accuse you of being a rubber stamp for the County Executive. So obviously you're entitled to, you know, your views and how you envision the board. I guess I'm -- you know, we have good people there. I don't think there's anyone -- and yet I have been on boards where there are people who I would not consider good, well-meaning or as you know --

LEG. FISHER:
We want names.

CHAIRMAN BISHOP:
Who?

MR. EVERSOLL:
-- what's their, you know, how close to the lord are we. You know, it's that level. So, in any event -- so look, I thank you for letting me appear before you, and I'm a constituent of the Chair and I'd be -- we chat every -- I guess we'll be seeing you this fall.

LEG. ALDEN:
Mr. Chairman.

CHAIRMAN BISHOP:
Yes. I will be going there for the summer for the views. You have beautiful property.

LEG. ALDEN:
I think one thing that's come out of this and we should all be aware of it is that anyone that comes before us number one, should be prepared for a little different treatment than has been afforded in the past, but number two, if there is some kind of like medical condition or even emotional thing that's going on, because I'm going to draw on my own experience. I've had one major surgery, but four days after my major surgery I didn't even know my name. So if somebody's going to come before us, you know, they really have to let us know about, you know, that type of condition, but they better be forewarned also because I see that from some people --

MR. EVERSOLL:
I think they are.

LEG. ALDEN:
Some people are loaded for bear so to speak.

MR. EVERSOLL:
I think they are. I think those people that come before you will be forewarned. And as I said, I think they have a fairly broad range of environmental -- I mean you can certainly look at Tom Thorson and Dave Cassidy and others. Some even may suspect me of being in the hands of the environmentalists. So --

CHAIRMAN BISHOP:
Thank you. See you at your front door. Maybe this time you'll vote for me.

MR. EVERSOLL:
I did.

CHAIRMAN BISHOP:
I'm joking.

MR. EVERSOLL:

Maybe that causes you to question me.

CHAIRMAN BISHOP:

Right. Stuart Lowrie. Legislator Binder has indicated that he's going to get even through you.

LEG. ALDEN:

Are you now, or have you ever been a member of --

MR. LOWRIE:

Of the Nature Conservancy? I plead guilty.

LEG. BINDER:

Wait a second, aren't you guys with developers? I mean, Mr. Eversoll

--

MR. LOWRIE:

Let me add that Don Eversoll serves actively and with distinction on the Nature Conservancy Board of the Long Island Chapter. Seriously, my name is Stuart Lowrie and thank you for the opportunity to be here.

I'm the Director of Government Relations for the Nature Conservancy on Long Island and without my reading glasses will attempt to offer a few comments on Introductory Resolution 1230, which is tabled and subject to discussion again today I believe.

It's my understanding, if I picked the right resolution that this is bringing forward for reauthorization core parcels out of the Pine Barrens to be potentially acquired using the new quarter percent drinking water protection program. And that's certainly commendable and the Nature Conservancy obviously strongly supports the acquisition of core parcels in the Pine Barrens.

We'd like to suggest that there are other environmentally sensitive lands which are of great importance to Suffolk County and those might also be brought forward and included in this kind of omnibus resolution. My staff had pointed out to me that there's a resolution, which I believe is Resolution 876 of 1998, which includes a whole series of, similarly, omnibus series of parcels which include wetlands along the south shore, Peconic River parcels.

CHAIRMAN BISHOP:

Which program was that under?

MR. LOWRIE:

That was the original -- the quarter percent program that expired in December.

CHAIRMAN BISHOP:

I thought -- Counsel, just to flush this out more specifically. The Resolution 1230, it is my understanding is every parcel that was not -- was authorized under the previous quarter cent program, that was not acquired, being reauthorized to be acquired under the current quarter cent program; is that correct?

MR. SABATINO:

Well, the goal was to take all of the outstanding parcels, which are identified in Resolutions 315 of '98 and which was for large lots and 306 of '98, which was for small lots, and basically reauthorized them. That's for the, you know, for the core area. The problem you have is that if you do that, and this is the debate that came up two weeks ago, three weeks ago, if you do that --

CHAIRMAN BISHOP:

You're oversubscribed.

MR. SABATINO:

Well, you preclude yourself from looking at a new plan, you know, a new list for a new program.

CHAIRMAN BISHOP:

Well, no.

LEG. BINDER:

Yes.

MR. SABATINO:

The new quarter percent --

CHAIRMAN BISHOP:

It's just an authorization to acquire. It doesn't --

MR. SABATINO:

Yeah, but the problem you're going to run into -- and you can do it.

It's just that --

CHAIRMAN BISHOP:

Yes.

MR. SABATINO:

The point of the discussion three weeks ago is that before you do it, you want to be aware of what the implications are because there are other Legislators who have other parcels that they contemplated for the new quarter percent program. Those roll out of the box on day one, unlike any other program that we've done at least in theory be precluded from consideration.

CHAIRMAN BISHOP:

What theory is that? There's nothing in this -- in 1230 -- I'm the long defender of this poor resolution. There's nothing in 1230 that says that they take priority over sub subsequently designated parcels.

MR. SABATINO:

No, but what's happened historically is that when Legislators have advanced proposals to acquire land under program the argument that's raised against it is we've already oversubscribed the program. In this case you will be there at day one as opposed to being there, you know, at day three hundred or day six hundred or day one thousand because you will have now taken the new quarter percent program and tied it up with all of the Pine Barrens parcels when the new quarter percent program contemplated land from every place.

LEG. FISHER:

Would it tie it up completely?

CHAIRMAN BISHOP:

Okay. So your -- the argument -- I don't know about the tie up, but the argument is that we should take the new quarter cent money and review everything that was included in the old program to ensure that we want to include it in the new program instead of just taking a blanket --

MR. SABATINO:

Let me rephrase it.

LEG. BINDER:

Rather than Counsel, because that's not -- Counsel's role really is a legal question. That was my argument at the last meeting is that as we're going to go forward we should understand what we're looking at and what parcels that includes, what parcels in terms of some kind of priority order, even if it's not specific priority, some kind of blocks. Just so we have an understanding before with run ahead and

immediately oversubscribe based on the -- having all these, plus the other ones that we're doing.

We should understand what we're doing. And I don't think we have an understanding as we sit here today, as sat here in the last meeting, we don't have that understanding. And I'm hoping that given time we will be able to get that understanding of what we're looking at in some kind of very cogent briefing as you know, with a list and order and priority, and why and why they're up and why they're down. Eventually it may be able to get to Albany.

CHAIRMAN BISHOP:

I understand. If I am a parcel in the Pine Barrens. -- if I am a parcel --

LEG. BINDER:

You're about to sprout actually.

CHAIRMAN BISHOP:

Which program am I eligible to be purchased under? Just the County's the State's, the Town's, is Central Pine Barren Commission? How does that work? Allan, do you want to speak on this? Maybe we should wait until 1230 comes before us.

LEG. BINDER:

Just as he's coming up, one of the concerns is how much -- and maybe Allan can speak to this -- how much the County has spent on the Pine Barrens versus how much the State has spent on the Pine Barrens and how much the commitment was on each of these levels and who's doing all the buying here, and whose tax money is being --

CHAIRMAN BISHOP:

Motion to take 1230 - Authorizing acquisition of environmentally sensitive lands to be acquired with current funding pursuant to Article XII of the Suffolk County Charter (County Executive) out of order by myself. Seconded by --

LEG. FISHER:

Second.

CHAIRMAN BISHOP:

-- second by Legislator Binder. All right.

MR. GRECCO:

Well, Mr. Parcel, what you could do is, there are several alternatives available to you. You can seek acquisition by the County, you can seek acquisition by the State, you can seek a hardship upon which you may have the ability to build or you can do what's called a transfer of development rights where you'd go to the Pine Barrens Credit Clearing House, you'd get a certificate and then you can either sell your residual to the County or donate it to the Nature Conservancy depending upon your status. Those are all of your alternatives, or you can bring a lawsuit to try to bring the plan found unconstitutional, which has not been successful.

LEG. FISHER:

But Allan, under 1230 -- Mr. Chair, I just want to back up a little bit so that I understand this. But in 1230 wouldn't he automatically be in the drinking water program?

MR. GRECCO:

Under 1230 --

LEG. FISHER:

He as a parcel?

MR. GRECCO:

1230 -- yeah. The history of 1230 comes out of two prior resolutions. As you may recall in the '90's we were parcel specific when we bought properties and we were criticized for not going quick enough. So we had two resolutions. One was an omnibus large lot resolution that says basically any large lot we can acquire without any further reso

in the core, and we had an omnibus small lot resolution because we had different procedures in both.

As to your question regarding the properties in the core, the County of Suffolk owns almost twenty thousand acres of property. The last statistics I have is nineteen thousand five hundred twenty-six acres. The total of all publicly owned property is thirty-seven thousand seven sixty three. In other words, we own more property than all of the other municipal jurisdictions combined. All right. The State of New York owns at thirteen thousand. USA owns about two thousand seven hundred and the Towns own seventeen hundred, and the Nature Conservancy I'm proud to announce owns two hundred thirty-six, which they had a lot more, which they can -- they bought as our agents, but they're right now holding onto two hundred thirty-six and they have done a good job.

LEG. BINDER:

Can I just ask just a follow-up? Is -- wasn't it contemplated originally that the State and the County would buy equal or somewhere close to the same amount of acreage?

MR. GRECCO:

Yeah. It was -- well, I cannot speak for the State's acquisition efforts. I can only speak for the County's. We have had a very active and aggressive program towards acquiring most every thing in the core. We have increased staff, you know, we've streamlined our acquisition process. We've had literally hundreds of closings.

What is left is a matter of debate. By estimates, and I'm going to work off of what the Pine Barrens Commission says and what Steve Jones and I had worked up. There is somewhere around, anywhere between a low of three thousand and a high of three thousand seven hundred acres remaining. Now, why is there this seven hundred acre discrepancy? Part of them are what's called overlaps. Part of them have scenic easements on them or slope easements from a taking of a road, that even though it's in private ownership it really is not buildable. Other parcels are partially in the core and they're along lots going outside the core and that core area can be used for yield in the rest of the property. So it's questionable if it really needs to be

acquired.

So Steve Jones and I looked at all of the -- this thirty-seven hundred number and we were able to whittle it down to, we believe, slightly under three thousand acres remaining. One of the objection -- excuse me. One of the objectives in the plan, in 1993 was for the public to acquire seventy-five percent of the core. By everyone's estimates, even the most vocal of critics, we had reached that number by December 1, 2000 when the money ran out, which I think, you know, for everybody it's a commendable effort on everyone's part to get it done including the Nature Conservancy as one of our agents.

So the question then came down to what is to become of the remaining twenty-five percent. The plan itself recognized, literally, and I'm trying to verbatim state what it said is that they recognize that public funding would not be sufficient for the aquisition of the balance of the properties, and therefore they created the TDR Bank, the Pine Barrens Credit Clearing House.

To date the Pine Barrens Credit Clearing House has not kept up to pace with the acquisition efforts. It's a different market. It's a volatile market. It's demand driven by builders. It's not driven by the public. It's what is a builder willing to pay to buy the right to build a house somewhere else.

So that market is not much that they can do with other than deal with what comes in. I think they only have about three hundred acres. Am I correct on that?

MR. LOWRIE:

Yeah, that's about right.

MR. GRECCO:

I think. I think about three hundred acres, which is not a criticism of their efforts, but again, it has not --

CHAIRMAN BISHOP:

Three hundred out of the seven hundred?

MR. GRECCO:

They should have four thousand acres.

LEG. BINDER:

To be at that twenty-five percent.

CHAIRMAN BISHOP:

Right.

MR. GRECCO:

They should have the twenty-five percent. If you went --

CHAIRMAN BISHOP:

Oh, I see what you're saying.

MR. GRECCO:

If you went back to 1993 you would have said by now it should have all

been TDR'd and as to what we acquired, I am unaware of it's supposed to be equally shared by the State and the County. I'm not aware of any kind of written or oral agreement to that extent. But I believe it was a best efforts on everyone's part. I don't think anyone can criticize our efforts to date.

CHAIRMAN BISHOP:

Why don't we speak for a second about the 1998 policy decision that we made? So the Legislature decided in 1998 with the previous quarter cent program to do two blanket authorizations. One for small lots --

MR. GRECCO:

Yes.

CHAIRMAN BISHOP:

-- one for large lots.

MR. GRECCO:

Right. We had surpluses because the monies were coming in under quarter percent program, and our acquisitions were not keeping up with the amounts appropriated each year. So we were having used surpluses and we were getting criticized. There were a number of issues that had to be addressed, staffing procedures, whatever. We changed all that with the cooperation of the Legislature and we were able to deal with prior year surpluses and utilize the monies that came in for each year. And I'm proud to say we've spent it all. That was what we wanted to do.

CHAIRMAN BISHOP:

Now, Counsel, who's not allowed to make policy speeches and Legislator Binder, but somehow finds a way to do it, and Legislator Binder argue that we should change that blanket authorization because if we renew that. We will crowd out other priorities necessarily.

MR. GRECCO:

Well, Mr. Isles and I had done some math of what we believed the balance of the core would cost us. And it's not easy because you're working with -- we have thirty-seven hundred acres, or do we have under three thousand once you start sifting it out?

So we've worked with the three thousand number because we

realistically believe that that's the number there. And what did we do -- we set a ten thousand an acre, you're looking at thirty million. At fifteen thousand an acre, forty-five million. At twenty thousand an acre, sixty million. So we believe to finish the core will be anywhere between thirty and sixty million. And why am I using those numbers? I'm looking at what we're paying from the low to the upper range in the core, which of course depends upon zoning and size and land is unique, etcetera. So --

MR. ISLES:

And the estimated revenue over the life of the program is about a hundred and eighteen million dollars at this point.

MS. PATRISS:

Can you state your name, please?

MR. ISLES:

It's Thomas Isles. The estimated revenue from the program is a hundred and eighteen million dollars and therefore, the thirty million to sixty million represents anywhere from twenty-five percent of available funds, expected funds, to fifty percent.

LEG. FISHER:

So you're not closing out everything else if you include --

MR. GRECCO:

Not --

LEG. FISHER:

You're not oversubscribing then?

MR. GRECCO:

Not exactly. That's when you just look at the core large and small lots. And when you look at 125E, which is outside the core matters, which some of which Mr. Lowrie had addressed and some major purchases with some big price tags and --

MR. ISLES:

There are three resolutions that have been passed by the Legislature at this point do tap into the new quarter percent program. One is the Dagger Property, one is Spring Meadows, and one is Forsythe Meadows, the extension right behind the shopping center. That is only for planning steps and not for acquisition. The other two are for acquisition. So those are tapping into the money coming out of this year and December of last year.

Not to quote dollars I guess because they're in negotiation at this point, but in terms of the money we expect this year it's about seven point two million dollars when we take December of 2000 and all of 2001. So seven point two million. Here again, not quoting individual parcel estimates or appraisals at this point. We're probably within a million dollars of that number already committed to these parcels that have been appropriated from the new quarter percent program.

So even though under the Pine Barrens if we estimate that we're going to spend potentially the twenty-five percent or fifty percent on the high side if we were to buy everything out there over the next thirteen years. Just so that you're aware then in terms of what's already started, we're already heavily committed just in this first year at this point.

CHAIRMAN BISHOP:

I'm just -- I'm going to ask one last question. I know Legislator Binder has a question.

MR. GRECCO:

May I just add a --

CHAIRMAN BISHOP:

Yes.

MR. GRECCO:

Furthermore, just so you understand the oversubscription issue, on the 125E matters, which we have authorization for under the prior program but no money that we're looking to fold into the new program, we're looking at close to twenty million dollars there between Broad Cove, Gardner & Schwartz, which you were to speak on, which has a -- one has a one million dollar matter, and the other one is a hundred and sixty acres -- excuse me, a hundred sixty thousand. UJA parcel in your district for example is four hundred acres. I'm not even going to figure it --

LEG. BINDER:

It's Legislator Postal.

MR. GRECCO:

Oh, I'm sorry. It straddles the line. It's the biggest parcel in western Suffolk. I think four hundred acres. I'm not even going to think about what that number is. But if you look at the 125E matters which are already authorized, plus the core large and small lots, plus the matters that Mr. Isles went over that are already authorized, you're oversubscribed already.

So the question I think you need to address is what is the collective role of the others in the core along with us? Are we doing this alone? Now, by passing the resolution that -- for the large and small lots it does not mean necessarily that we are going to pick up every single thing, but the question is, what is the commitment of the other governmental entities to that extent? Are we going to be the only ones out there? Because every parcel that is either TDR'd or obtains a hardship, or is picked up by the State is one less parcel that is -- that we have to buy, that we utilize outside of the core to get a better bang for our buck.

My recollection is there is a State indemnification on this, which I'm not addressing here, but I think you're both right. I think you're both right that --

CHAIRMAN BISHOP:

Oh, they've past the blanket in other words. They past the blanket for State. So we would just be another blanket. It doesn't mean that we're obligated to buy every individual piece.

MR. GRECCO:

No. We would be authorized, but if other entities do not step up to the plate, where are we? That's what I think Legislator Binder's concern is. And you were right that if we pass this, it does not mean we're stuck with it, that we must get it. But if there is not additional efforts elsewhere, just recognize that you're going to be -- you are oversubscribed already based upon the 125A, 125E, and the ones that are authorized right now.

CHAIRMAN BISHOP:

So the Planning Department and the Real Estate Division support 1230. They, in a nut shell, say there's sufficient money over the life of the program and that we should not that not every parcel authorized in the blanket resolution will be acquired.

What is the position of the Nature Conservancy? You're saying hold on, don't go forward?

MR. LOWRIE:

Well, the Nature Conservancy would say a couple of things at this point. One of them being oversubscription is not a bad thing and indeed in prior acquisition programs both here in Suffolk County and in the towns across the County and other parts of the Country a

benchmark that we look for where there is an open space acquisition plan is that that plan be two to two and a half times more aggressive than the source of funding would allow to be purchased.

Now, there's a reason for that, and it's a simple one, and that is, you don't want the people on your list to think that it's inevitable that you will come to them and make an acquisition of their property. You want to give yourself a latitude to acquire those properties that come available and you want to have that happen in a market that you are not yourself driving. So a two and a half times oversubscription is a benchmark that we recommend wherever we're helping municipalities and governments do this sort of thing.

CHAIRMAN BISHOP:
Are you supporting the resolution today?

LEG. FISHER:
Sounds like it.

CHAIRMAN BISHOP:
I thought you were not --

LEG. FISHER:
Sounds like you're supporting it.

MR. LOWRIE:
Well, will my understanding was this resolution was limited to the core parcels in the Pine Barrens. If that's incorrect, then I'd like to know a little more details, but if this resolution is limited to the core parcels, I would suggest that we want to add to it in order to include things outside the core and other sensitive --

CHAIRMAN BISHOP:
But the reason it's limited to the core is because it's the renewal of the blanket authorizations that were done in 1998 for small and large lots similar to what the State did, which you called the indemnification, which --

MR. LOWRIE:
We're looking at this from the perspective of we're taking the time and effort to do reauthorization of these critical parcels. There are also other parcels, which have been authorized, which are also in point of environmental protection, equally critical.

LEG. FISHER:
But would we be precluded from prioritizing other parcels? Allan, we wouldn't be precluded from prioritizing other parcels.

MR. GRECCO:
No. May I make a suggestion? I'd like to draw your attention to the fact that the Wading Brook Spring Meadow matter was a 125E acquisition that you just recently passed under the new program and -- by CN at the last meeting. Now, it seems to me you're going -- you have established a procedure of going parcel specific.

You're saying okay, continue your efforts in the core and let's -- to keep it clean that this -- we're just dealing with two omnibus resolutions to keep moving in the core, our commitment to the Pine Barrens, and you already have a precedent on Wading Brook on what I call the linkage resolution, linking that one already. Perhaps what needs to be done on Gardner and Schwartz, well, Schwartz I could probably take care of, but on Gardner is to do a separate resolution similar to a linkage resolution for Wading Brook Spring Meadow and then let the Legislature address each parcel as it comes to you.

LEG. FISHER:
Allen, when we were here last month --

MR. GRECCO:

Yes.

LEG. FISHER:

-- didn't we talk about the fact that as we see ourselves oversubscribing, seeing ourselves reaching limitations on funds that we have a greater need to look at the big picture and prioritize?

MR. GRECCO:

That's correct.

LEG. FISHER:

And we had spoken about setting up a plan of prioritization and our concern here with 1230 is, this does not force us to put these parcels at the top of the list. They become part of the mix of the prioritization, isn't that so?

MR. GRECCO:

That's correct.

LEG. FISHER:

Okay.

MR. GRECCO:

That's correct. Or a prioritization would follow presumably.

LEG. FISHER:

Okay. These do not have to be at the top of the list, Stuart?

LEG. ALDEN:

Which of them are at the top of the list?

LEG. FISHER:

Pardon me?

CHAIRMAN BISHOP:

No, it does not. It puts them in the mix.

LEG. FISHER:

It puts them in the mix.

MS. FIELDS:

Where's the rest of the mix?

CHAIRMAN BISHOP:

The rest of the mix is everything that we --

LEG. FISHER:

All of those individual things.

CHAIRMAN BISHOP:

-- do individually from here on forward.

MR. LOWRIE:

And we're proposing that there be another omnibus resolution.

CHAIRMAN BISHOP:

Hold on. Let me see if I can add to the mix. Lay the land for my colleague. We have a program that over its live will generate a hundred and eighteen million dollars. We had an old program to acquire thousands of acres. We acquired most of those thousands of acres, but we still have three thousand seven hundred acres still out there, which in 1998 we said go forward and buy them if you can get them. That program ended. They put in a new resolution that says those three thousand seven hundred acres that you said you were going to get in 1998 that we still have not acquired, can we get them under this new program?

MR. LOWRIE:

Right.

CHAIRMAN BISHOP:

And they will cost roughly thirty to sixty million dollars if every one of them was acquired. That's what's before us today. If I'm hearing correctly, the Nature Conservancy is saying slow down. Why don't you add some other parcels to this blanket authorization that are outside the Pine Barrens? And if I'm further hearing correctly my colleague Legislator Binder, is saying slow down, why do we have to do every one that has already been done and under the previous program maybe this is a time to prune some out that shouldn't be in. Roughly?

MR. BINDER:

No.

CHAIRMAN BISHOP:

Clarify your end of it.

LEG. BINDER:

What I'm saying is we should understand what they are and actually further I wanted to add just to know what they are so we know what we're talking about. But what I wanted to add especially after hearing the numbers that the State has thirteen thousand acres roughly or near that or under that really, to our twenty thousand plus acres.

It would seem to me if there's three thousand acres left, that we might want to call on the State to fulfill their responsibility to have sixteen thousand acres to our twenty thousand acres. And I would ask Counsel to draft a memorializing resolution to that effect calling on New York State to fulfill the responsibility, pointing out that we have already fulfilled ours in going after twenty thousand acres and that would then free up thirty to sixty million dollars for us to be doing what we need to be doing with the rest of the things outside the core.

We have done what we're responsible to do, and I think that we should call on the State in the loudest of terms as a Legislature and hopefully unanimously to say do your job too. Catch up a little bit. There's not even enough left to catch up so --

LEG. FISHER:

On that point, Mr. Chair.

CHAIRMAN BISHOP:

Yes.

LEG. FISHER:

Allen, would the passage of 1230 --

CHAIRMAN BISHOP:

I thought I had it.

MR. GRECCO:

Good try.

LEG. FISHER:

No. Well, you also missed my comments, Mr. Chair.

CHAIRMAN BISHOP:

I'm going to let you in. I'm just -- but you're approaching it from a different perspective than the Nature Conservancy. They're saying include more in the blanket, and you're saying maybe we don't want to do as large a blanket --

LEG. BINDER:

No. I didn't say --

LEG. FISHER:

But what we also want to say is if we pass 1230, would we still be able to approach the State and ask for the State's assistance in the

acquisition of these three thousand acres that are left, Allan?
Do we weaken our position with the passage of 1230?

MR. GRECCO:
Well, I'm --

LEG. FISHER:
We may be.

MR. GRECCO:
Possibly. Our experience has been that the State's appraisal's have not been as high as ours, which is one of the reasons why we have been more successful than they have in acquiring properties. So be mindful, you know, you pass 1230 and you request the State to step up the funding. That could be very nice that they step up funding, but if they have their own procedures which they have a different methodology as -- Mr. Lowrie worked as an agent for the State and an agent for the County, and if there's anybody here who knows the difference it's him. And there's a different methodology. So notwithstanding the fact that the State could commit a ton of money to it, a seller is going to go to the highest, biggest, or highest offer.

LEG. FISHER:
Um-hmm.

LEG. BINDER:
If they have multiple offers.

MR. GRECCO:
If they have --

LEG. BINDER:
In the Pine Barrens --

MR. GRECCO:
Yes.

LEG. BINDER:
-- they don't exactly have multiple offers.

MR. GRECCO:
No, they don't.

LEG. BINDER:
And if we're not passing 1230 and I agree with Legislator Fisher, funny how we do that sometimes, that if we're not passing something like this, then now they have no confidence that the three thousand acres is going to be bought by the County. We're calling on New York State to do it, and I think we should bring some pressure to bear in the environmental community that we've stepped up to the plate and the State has lagged behind and when they're the only game out there and buyers know that, it would seem to me that it mitigates against passing as Legislator Fisher said 1230.

MR. GRECCO:
No. No reasonable person could criticize our commitment, our efforts or extending of money to the Pine Barren's core. We certainly have done our share. The job isn't done. There is, you know, you have to look at it from the landowner's perspective as well. They cannot build on this land. There is a moral obligation to buy this property within our County. There is a legal obligation on the State's part to do so. I think that's the issue right there. The authorization -- just to sum it up, the authorization does not necessarily mean that sixty million of this money is going to go the core and everybody is

going to be lining up to have me buy every single parcel in the core.
That's unrealistic to believe.

The parcels that Mr. Lowrie's talking about are worthy of preservation, and in fact, under more development pressure, and are more environmentally sensitive. The core can't built upon.

LEG. FISHER:
Right.

MR. GRECCO:
So, things outside of the core certainly have more sensitivity.

CHAIRMAN BISHOP:
Right.

MR. GRECCO:
So they're going to rise above in priority, hopefully. Now, again, I think just using the Spring Meadow example, if you go parcel specific with your authorizations and you review each one, whether you want to do it or not, that's one method of prioritization. Or you can authorize everything that comes through, and the Planning Department will provide for you a prioritization just as we did in open space Greenways.

CHAIRMAN BISHOP:
Legislator Alden -- Legislator Fisher are you --

LEG. FISHER:
Well, I just wanted to wrap up in a different way because there are some very compelling arguments for and against the passage of 1230. I don't think that oversubscription is one of the compelling arguments because I believe that -- and Stuart, this is contrary to your argument by the why, which is that we should include other parcels. We're considering other parcels while we are considering 1230 and if those other parcels are under more development pressure or if they're, you know, if we deem them to be very important, then they leap over these core Pine Barrens parcels in priority.

So I don't think that your argument is one that would compel me to defeat this. However, what Legislator Binder said with regards to pressure on the State and what Allan just said about pressure on the State and the State having a legal commitment to doing some acquisitions here. I think we weaken our position with the State if we were to pass 1230 because we should have a memorializing resolution first before we pass 1230. I think we should ask the State to step up to the place before the passage of 1230. That's you know, I think that's the most compelling argument that they should throw in their nickel.

These are very important parcels, but their not really under developmental pressure.

CHAIRMAN BISHOP:
Legislator Alden.

LEG. ALDEN:
If 1230 passes you don't have do come back to us, right? You just start negotiating and buy whatever you want.

MR. GRECCO:
Now, that's an interesting point we could just --

LEG. ALDEN:
Right.

MR. GRECCO:
-- buy for years.

LEG. ALDEN:
So basically what happens is and as Legislator Fisher

just pointed out, I don't -- I'm not sure that the more compelling ing purchases would go to the top of the list. It would be more that the County Executive would drive the whole process and the Legislature would not be. Basically, we could be shut out completely.

I'm not saying that would happen, but we could be shut out completely as far as prioritizing, and one of the things that I've been asking in the Parks Committee and a couple of different places is to prioritize maybe on a more global type of look and I know that Legislator Fisher and Legislator Fields have joined in that request also that we look at all our different programs and start coming up with more comprehensive programs.

So I really wouldn't want to see this passed, and I'm not denigrating the properties that are here to be protected, but I would want to see more of a global approach to which are the most sensitive, which are the most that would you know, be in danger of succumbing to development and maybe even more sensitive type of properties.

MR. GRECCO:

I would be kidding you by saying the large lots and the small lots in the Pine Barrens are threatened. They're not. They're saved. They're preserved unless they can prove a hardship, which they're entitled to in. Clearly anything outside of the Pine Barrens is under more threat just by virtue of the fact that they're outside of the Pine Barrens. However, I think, you know, you have to ask yourself about this commitment we've made and we have people who are looking to close. I have two point three million in purchases of small lots that I can't sent contracts out on.

I just want to let you know that I have people lined up who want us to buy --

LEG. FISHER:

Why don't we do it individually?

MR. GRECCO:

What's that?

LEG. FISHER:

Can we present those individually?

LEG. ALDEN:

Right. Nothing prevents you --

MR. GRECCO:

Small lots? Individually?

LEG. ALDEN:

No, no. Wrap it up. Wrap it up in a ten package deal or something. Nothing prevents the County Executive's, you know, sending over to us here's ten that are ready to go right now or here's twenty or thirty little lots with X number of dollars. Nothing prevents that type of acquisition. So I would --

CHAIRMAN BISHOP:

Can you, without an authorization negotiate those deals?

MR. GRECCO:

I can negotiate and make my contracts subject to funding.

LEG. ALDEN:

Sure.

CHAIRMAN BISHOP:

That's what the majority of the committee is directing.

MR. GRECCO:

Okay. I just want to see if there was any other comments from -- or a

sign on that.

CHAIRMAN BISHOP:
Legislator Fields.

LEG. FIELDS:
Well, Stu and I both served on the Open Space Advisory Board for New York State for Region 1, and we know that this is protected. The State has made a commitment in several ways to say that it's a protected area. So I think I wouldn't be worried about the fact that someone is going to just buy it up and we're going lose it. You know, I think that they're already basically protected, and I have the same concerns that Stu has presented today and what Legislator Alden is saying, the western portion of Suffolk County has not really been actively put aside to say let's go get it as much as the Pine Barrens has.

So I would suggest that we go forward with the memorializing resolution. It would also suggest to the State that we're not so easy, and you know, maybe they have to work a little bit harder. And if we've made a commitment, we need to back it up with the actual purchase. And then work on whether or not those parcels become very important in the next several months before the end of the year.

CHAIRMAN BISHOP:
Is there a motion to table this subject to call?

LEG. FIELDS:
I would make a motion to table subject to call.

CHAIRMAN BISHOP:
Is there a second?

LEG. FISHER:
I'll second that.

CHAIRMAN BISHOP:
Second by Legislator Fisher. On the motion, I hope that the impact of doing this piecemeal will be to prod the State to be aggressive as we've been, but ultimately I think it's just going to create a lot more paperwork for us. But we'll see. We'll try that approach. It's certainly worthwhile. If it's successful, it will --

LEG. BINDER:
Let me ask the Chair --

CHAIRMAN BISHOP:
-- be a, you know, remarkable turn of events and a very positive one.

LEG. BINDER:
Let me ask the Chair if he would see if we can put whoever is in charge of acquisition down State and Long Island for the State to --

CHAIRMAN BISHOP:
By next committee meeting?

LEG. BINDER:
Committee meeting, let them talk about what they're doing, what their efforts -- we can have, you know the Nature Conservancy here, Mr. Lowrie, we can talk about --

CHAIRMAN BISHOP:
Our reputation proceeds us though.

LEG. BINDER:
Well, this is true, but I --

CHAIRMAN BISHOP:
Yes. We certainly --

LEG. BINDER:

But I think we should know from their mouth what they think the methodology -- we should talk about the shortfalls and we should talk about a plan that gets them to possibly agree at some level to commit to try to get that last three thousand since I think at the twenty thousand we've done our part and the State really wanted to do this together. You might want to ask Mr. -- I'm trying to remember. There were the two Legislators. I don't know if it was -- Mr. DiNapoli had something to do with it and Mr. -- was it --

CHAIRMAN BISHOP:

LaValle.

LEG. BINDER:

State Senator LaValle. So maybe, I mean, I don't know that they would come here and submit themselves to the committee, but at minimum have a letter gone to them and from the committee we can all sign or you can speak for us because I don't think anyone would disagree to these members who are so instrumental in passing this and making this happen, which is important landmark Legislation that they make sure this from their end since they pushed this Legislation that they bring this along and make sure it happens, the commitment happens at New York State level, and we should do what we can to make that happen.

CHAIRMAN BISHOP:

All right. Counsel will do the letter to Senator LaValle and Assemblyman DiNapoli. Jeanine Dillon, the aide to the committee will invite -- will find out who the down state counterpart to Mr. Grecco is. Do you know --

MR. LOWRIE:

Pat Zalinski is the Bureau of Real Estate Chief for the --

MR. GRECCO:

Or Ray Cowin.

CHAIRMAN BISHOP:

We'll invite them to the next committee meeting or to a time when they can make it and when we can make it.

MR. GRECCO:

A quick comment. On the parcels that Mr. Lowrie is speaking about they actually went and bought them in anticipation of the --

MR. LOWRIE:

Not all of them.

MR. GRECCO:

No.

CHAIRMAN BISHOP:

Grecco, you're getting as bad as Caracciolo. We're wrapping this up.

MR. GRECCO:

No, there was one or two of them that they purchased with the anticipation that we were buying it. Right?

MR. LOWRIE:

That's essentially true.

MR. GRECCO:

It is true. So they're out there hanging as our agent. So I --

CHAIRMAN BISHOP:

Yeah, but you're going to come forward to with piecemeal resolutions. That was the resolution. We're not denying participation from the quarter cent fund for the core. We're just saying bring them to us as

you have them rather than getting a blanket authorization.

So that's -- let's call the vote. All in favor? Opposed? Me. It's 4 to 1. (Vote: 4-1-0-2 - Opposed: Dave Bishop - Not Present: Legislators Caracciolo and Galdi). So it's tabled subject to call. (**See change in vote on Page 73**)

MR. LOWRIE:
Thank you.

CHAIRMAN BISHOP:
Thank you. To the agenda. To the top of the agenda.

Introductory Prime

1265 - Approving acquisition under Suffolk County Land Preservation Partnership Program at Portion Road in Lake Ronkonkoma, Town of Brookhaven (Caracappa).

MR. SABATINO:
We still need a Town Resolution.

CHAIRMAN BISHOP:
Need a Town Resolution. Motion to table by myself. Second by Legislator -- anybody from Brookhaven? Binder wants to be in Brookhaven.

LEG. FISHER:
I'll --

CHAIRMAN BISHOP:
Oh, Fisher. All in favor? Opposed? 1265 is tabled. (Vote: 5-0-0-2 - Not Present: Legislators Caracciolo and Galdi).

1295 - Dedicating certain lands now owned by the County of Suffolk to the County Nature Preserve pursuant to Article I of Suffolk County Charter and Section 406 of the New York real property Tax Law (East Patchogue, Bellport, North Bellport -f/k/a Gallo Duck Farm) (Foley).
Corrected Copy.

MR. SABATINO:
The corrected copy was completed yesterday just to address the issue of allowing parks the right to demolish some existing structures that are on the property.

CHAIRMAN BISHOP:
This is land owned by the County that Legislator Foley is dedicating to the Nature Preserve.

MR. SABATINO:
Correct.

CHAIRMAN BISHOP:
So as to prevent development I would assume. Mr. Isles.

MR. ISLES:
Yeah, we would just like to make a comment that the Planning Department actually prior to this resolution being submitted had begun

a planning process of the Mud Creek area in East Patchogue and part of that is due to existing County holdings in that area including the subject parcels as well as an overall intent to protect the stream part of Mud Creek. We would express a concern to you at this time for this resolution, not on the basic concept of the preservation, which we certainly agree with in terms of the Gallo Duck Farm property. And we certainly agree with the correction to enable the ability to remove the structures.

However, we would point out that many of these parcels as you go further to the north are parcels that are not, we feel, environmentally sensitive or at least we don't have enough information at this point to say that to you, and may be suited to other uses such as maybe residential use, whether it's done in the free market, whether it's done affordable or not.

So in terms of the basic intent of protecting the Gallo Duck Farm area, we think that makes sense, not necessarily for a nature preserve at this point in time because it may warrant restoration, habitat improvement efforts and so forth in the future.

What we'd like to request of you today is a little bit of time to complete this plan. I think there was a concern that these parcels were included in the upcoming auction, and I believe there was only one parcel out of the numerous parcels in question, and that has nothing to do with the Gallo Duck Farm. So there's no eminent threat whereby these properties are going to be sold and the ability to protect the Gallo Duck Farm eliminated.

CHAIRMAN BISHOP:

Is this one parcel? I mean, it's several tax maps, but is it one entity?

MS. FICHER:

No, not necessarily.

CHAIRMAN BISHOP:

Okay. Have you -- do you want to say that on the -- I think it's -- I think you said it actually. It's repetitive of what you said on the record.

How much time and have you spoken to Legislator Foley about this? What is --

MR. ISLES:

Yes. We did speak to Legislator Foley.

CHAIRMAN BISHOP:

-- the characterization of the dialogue between you and --

MR. ISLES:

I think Legislator Foley expressed a concern for the protection of the property and we certainly agree with that. As far as the time frame in terms of our efforts we were looking at a few weeks, maybe a month, to complete a little mini plan of this area. There is a property owner who is also interested in possibly selling some land to the County that might add to the fresh water wetlands and so forth. So I can't certainly speak for Legislator Foley. Obviously he submitted a corrected resolution yesterday, but in all due respect to the Legislator we would just like a little bit of extra time and would respectfully request that we be given the opportunity to come back.

We do note that the -- some of this parcel may be suited to the water quality restoration and protection program, cleaning up some of the remnants of the Duck Farm for example. So if we have the nature preserve category, we may close out the options to do that kind of remediation work, if the County decides that that's worth while.

CHAIRMAN BISHOP:

I think when a Legislator files a bill like this he's reacting to something that he's heard that must be suggesting to him that there's a plan to develop the parcels and he's trying to take Suffolk County owned property and prevent the development. So there will be nothing in this period that would move it towards development other than a plan, no action.

MS. FICHER:

No. Other than the one parcel that's on the auction list, which is in

a partially residential area, the other portion of parcels were not included on the auction. In fact, I've written letters to have them held until we finish this review.

CHAIRMAN BISHOP:

I think we're going to need to have Mr. Grecco return. Is he -- I hope he's not -- I hope he hasn't left. He would never leave. Come on.

LEG. FISHER:

May I ask a question about part of the use?

CHAIRMAN BISHOP:

Can he retrieve the Director of Real Estate from -- here he comes.

LEG. FISHER:

Here he comes.

CHAIRMAN BISHOP:

It sounds like one of the tax maps in this larger parcel is on your action auction list.

MR. GRECCO:

Um-hmm.

CHAIRMAN BISHOP:

And Legislator Foley is concerned that the overall point of the resolution is to prevent development of this larger parcel because he feels it's the head waters of Mud Creek and we -- you know, it's a policy that we would want to preserve that.

In any case, can you pull the one parcel from the auction while we table the resolution to give Planning the time to study it?

MR. ISLES:

The one parcel is surrounded by houses.

MR. GRECCO:

Yeah, the one -- they had no -- this has been already been reviewed by the Planning Department, and they felt that this was best suitable --

CHAIRMAN BISHOP:

Is the one parcel part of the farm?

MR. GRECCO:

No. Oh, it's in a residential area east of the farm and the Planning Department already looked at it and recommended that the best use of that parcel was auction.

MS. FICHER:

Of that one.

MR. GRECCO:

Of that one parcel.

CHAIRMAN BISHOP:

I just want to understand. I thought the resolution was one parcel known as somebody's farm --

MR. GRECCO:

Gallo Duck Farm.

CHAIRMAN BISHOP:

Gallo's Duck Farm.

LEG. FISHER:

Lauretta, can you give us the number on that one?

MR. SABATINO:

The problem is that it's based on an exhibit that came from, you know, real estate to Legislator Foley's office. It's thirty-one point twenty-six acres, which was characterized as being the farm. It obviously consists of a whole bunch of little tax -- a whole series of tax map numbers, but I don't know which -- I can't tell from this list what's on an auction and what's not on an auction because the whole list, the whole column that says auction has zeroes in it.

LEG. FISHER:
Lauretta is going to tell us.

MS. FICHER:
Hold on one minute. I'll get it for you

LEG. FISHER:
Is it on Smith Street? Is it those six lots that have the number under auction, Lauretta?

MS. FICHER:
It's -- I'm sorry.

CHAIRMAN BISHOP:
Why don't we take -- hold this in abeyance while you -- and we'll just run through some of these other resolutions.

LEG. FISHER:
Well -- but I had another question about this resolution.

CHAIRMAN BISHOP:
We're going to come back to it.

LEG. FISHER:
But not about those lots.

MS. FICHER:
Oh, here it is. I have it.

LEG. FISHER:
Okay.

MS. FICHER:
It was Lot 115 on the auction list. 0200, Section 975.70, Block 4, Lot 25. This was the only one on the auction list of this entire list. This is in an area east that was partially developed residentially that we would not recommend for parks. This is on our list to be held if, you know, if they want to look at this further, but we had no objections to the auction.

CHAIRMAN BISHOP:
It's not part of the quote, farm? It's not part of the Duck Farm.

MS. FICHER:
No. It's much further east about a few blocks in a partially developed residential area.

MR. SABATINO:
Well, looking at -- working off of Exhibit A, do you have -- do you have --

MS. FICHER:
If you hold on, I can show you the tax map.

MR. SABATINO:
Well, what I was going to say is do you have them -- could you mark them off on the Exhibit A and -- you know, I can't speak for Legislator Foley, but I think he was operating on, you know, the premise that this list that was submitted to him represented the Gallo Farm.

MS. FICHER:

Well, if I can show you this, I can show you the area of Gallo Farm in relation to the tax maps that he identified if you'd like.

Okay. These properties that have been identified in the dots are indicated on Mr. Foley's resolution. The one property that was identified on the auction list is right there. The Gallo farm is over in this direction. This is the -- the majority of the farm is on this property here.

LEG. FIELDS:

Where is the water?

MS. FICHER:

The water is -- Mud Creek comes up and moves diagonally through this area here and follows down south to Great South Bay. If you look at this map in relation to that, this is the Duck Farm here, and this is the large lot is here. The property that was on the auction is over in this area here and it should be on the -- maybe second on the bottom to third page. I can identify it for you.

MR. SABATINO:

Would it be Bellport?

MS. FICHER:

Possibly. 975.7, Block 4, Lot 25.

MR. SABATINO:

Here it is.

MS. FICHER:

Okay. And that's the only one of this entire list that is on the auction for --

MR. SABATINO:

Now that we've identified it the only issue is how you want to address the --

CHAIRMAN BISHOP:

Well, let me ask you in your conversations with Legislator Foley would it be fair to say that he indicated to you that he wanted to preserve the Duck Farm and not --

MR. SABATINO:

Yes. And as far as yesterdays conversation was concerned, because he did speak to me yesterday when we did the corrected copy, that whole conversation centered around the issue of the structures because apparently he had been in contact with --

CHAIRMAN BISHOP:

Right.

MR. SABATINO:

-- Planning. And we dealt with that issue yesterday because we were aware of it.

CHAIRMAN BISHOP:

And we're satisfied that this is not part of the Duck Farm it's actually quite a distance away and it's nestled within and already developed residential neighborhood. Yes?

MR. LOWRIE:

Yeah.

CHAIRMAN BISHOP:

Okay. Furthermore the Planning Department and the Real Estate

Division acknowledge and commit that while this plan is being developed they will not alienate any of these parcels to facilitate development. They will remain in County control and that in thirty days you will meet with Legislator Foley with your plan and see if you could work it out. Is that right?

MR. GRECCO:

Our auction is May 25th. I can just delete it on May 25th.

CHAIRMAN BISHOP:

You don't have to because we have nothing in there that's -- you're not auctioning off the duck farm, right?

MR. GRECCO:

No, we're not.

MR. ISLES:

We would respect a commitment. We would meet with him in thirty days if that's your --

CHAIRMAN BISHOP:

With your plan. Okay. Can we agree to do that committee? Motion by myself to table.

LEG. FIELDS:

Second.

CHAIRMAN BISHOP:

Second by Legislator Fields.

LEG. FISHER:

I still had a question.

CHAIRMAN BISHOP:

Oh, I'm -- excuse me, I'm sorry.

LEG. FISHER:

Regarding the use of nature preserve, I noticed that horseback riding is mentioned here. Is that also in the corrected copy?

MR. SABATINO:

That's out. That was a mistake.

LEG. FISHER:

Okay. I just wanted to make certain that that was not -- because that was an issue with the use of nature preserve. Okay. Thank you.

CHAIRMAN BISHOP:

Motion to table has been made and seconded. All in favor? Opposed? 1295 is tabled (Vote: 5-0-0-2 - Not Present: Legislators Caracciolo & Guldi).

We have a series of SEQRA determination. Do we have to bring up the SEQRA person?

MR. SABATINO:

No, no.

CHAIRMAN BISHOP:

These are based on previous presentation. Okay. 1297 - Making a SEQRA determination in connection with the proposed replacement of Electrical Feeder at the Sewer District 18-Hauppauge Industrial Facility (Presiding Officer).

1298 - Making a SEQRA determination in connection with the proposed Stotzky Park expansion (Active recreation/Greenways), Town of Riverhead (Presiding Officer). Motion by myself. Second by Legislator Fisher. All in favor? Opposed? 1298 is approved (Vote: 5-0-0-2 - Not Present: Legislators Caracciolo & Guldi).

1299 - Making a SEQRA determination in connection with the proposed reconstruction of Deer Lake Spillway, Towns of Babylon and Islip, C.P.#5376 (Presiding Officer). Motion by Legislator Binder. Second by Legislator Alden. All in favor? Opposed? 1299 is approved (Vote 5-0-0-2 - Not Present: Legislators Caracciolo & Guldi).

1300 - Making a SEQRA determination in connection with the proposed removal and replacement of cable on runway 6/24, Francis S. Gabreski Airport (Presiding Officer). Motion by Legislator Bishop. Second by Legislator Fields. All in favor? Opposed? 1300 is approved (Vote: 5-0-0-2 - Not Present: Legislators Caracciolo & Guldi).

1301 - Making a SEQRA determination in connection with the proposed construction of a check-in building at Cedar Point County Park, Town of East Hampton (Presiding Officer). Motion by Legislator Fisher. Second by Legislator Fields. All in favor? Opposed? 1301 is approved (Vote: 5-0-0-2 - Not Present: Legislators Caracciolo & Guldi).

1302 - Making a SEQRA determination in connection with the proposed reconstruction of Quogue Canal Bulkhead, South side, Town of East Southampton (Presiding Officer). Motion by Legislator Alden. Second by Legislator Bishop. All in favor? Opposed? 1302 is approved (Vote: 5-0-0-2 - Not Present: Legislators Caracciolo & Guldi).

1303 - Making a SEQRA determination in connection with the proposed construction of a check-in building at Cupsogue County Park, Town of Brookhaven (Presiding Officer). Motion by Legislator Fisher. Second by Legislator Alden. All in favor? Opposed? 1303 is approved (Vote: 5-0-0-2 - Not Present: Legislators Caracciolo & Guldi).

Okay. That ends the SEQRA portion. 1323 - Dedication of certain lands to the County Nature Preserve to Article I of the Suffolk County Charter and Section 406 of the New York Real Property Tax Law (Donation) (County Executive).

Explanation. Where are these parcels?

MR. GRECCO:

This property is in Mount Sinai adjacent to the Chandler Estate.

Essentially you have properties which are upland and then there's a road call Pipestave Hollow Road and they have a small area which is dry and then it abuts into the wetland, which really gives them access for canoeing, etcetera. This would add -- this would give us road frontage to another road, additional portion of the Chandler Estate, and give us some control of wetlands and we would highly recommend this acquisition, donation.

CHAIRMAN BISHOP:

Oh, donation. I thought it was a dedication.

MR. GRECCO:

It's a donation. Well, it's a dedication --

CHAIRMAN BISHOP:

I thought it was something already in our control that we're --

MR. SABATINO:

A woman named Carol Flemming is offering the land to the County to be dedicated to the nature preserve.

MR. GRECCO:

You dedicate it to the nature preserve.

CHAIRMAN BISHOP:

Now, are we sure we want a nature preserve our parks? Doesn't that

limit our options when you say it's road front and so --

MR. GRECCO:

I don't think she's giving us a choice.

CHAIRMAN BISHOP:

No choice. Okay.

LEG. FISHER:

Allen, is this going to give us better access to the Chandler Estate? Right now we have to go in by the church on the right side of the road.

MR. GRECCO:

Well, no, we actually have -- it doesn't really give us -- it gives us additionally road frontage to a portion of the area which is marsh land. It can -- at certain times it is dry that you can go from Pipestave Hollow Road across it.

LEG. FISHER:

I meant walking access.

MR. GRECCO:

Walking -- not twenty-four hour walking access, no. But I understand a number of the parties up and down the road are looking to do the same thing. So we can get a whole swath of this marsh land, which I think is important to this parcel.

CHAIRMAN BISHOP:

Legislator Alden has a question.

LEG. ALDEN:

Now, the question is, can they develop this?

MR. GRECCO:

No.

LEG. ALDEN:

So, what, in essence we're going to be doing is something that they can't use, they can't develop, they're going to give it to us to take it off the tax rolls.

MR. GRECCO:

Correct. Well, you actually -- not that they can't develop it. They can actually use it to access a canoe into Mount Sinai Harbor, or a kayak. So, they are --

LEG. ALDEN:

Sometimes.

MR. GRECCO:

-- giving up something of value. We're not buying it. We're taking the donation. Yes, it is coming off the tax rolls. However, it's a very environmentally sensitive area and --

LEG. ALDEN:

I have one broader question too that --

MR. GRECCO:

It's adjacent to our property.

LEG. ALDEN:

We're going to be taking more property, and you said there's other people that might want to jump on the bandwagon here and give us -- how are we going to police that? Do we have a plan to ensure the protection and the -- of the citizenry and also of the land itself? So on those two I think I'm going to oppose it on --

MR. GRECCO:

Well, it's unfortunate you hadn't gotten the opportunity to see it because this is adjacent to a legally open road, Pipestave Hollow Road, so that we could actually access a portion on certain dry times. We could protect the wetlands. There are -- it's a big water foul area. You've seen the property.

LEG. FISHER:

Yes, it's beautiful.

MR. GRECCO:

And this -- this would add to our holdings. And it's -- it's a good parcel for taking such a donation.

LEG. FISHER:

We're not talking about millions of dollars and being to acquire property and we'll be faced with the same issue of having to manage it, and this is property that is being given to us.

MR. GRECCO:

Actually, it will make it easier to manage because we can access it from this point.

LEG. FIELDS:

Allen, can residents access it? Will they have better accessibility by canoe or by kayak or --

MR. GRECCO:

Presumably.

MS. FICHER:

It depends on the wetlands and how much wetland there is and how much that will allow.

MR. GRECCO:

At times.

LEG. FIELDS:

Because what I'm saying is if we're getting more land that provides the County taxpayer access to lands that had not been --

LEG. ALDEN:

No, now they can't.

LEG. FIELDS:

Why can't they?

LEG. FISHER:

No, with this it gives them easier access. It gives you easier foot access.

MR. GRECCO:

At times.

LEG. FISHER:

Right.

LEG. ALDEN:

Onto the --

LEG. FISHER:

Right.

LEG. ALDEN:

-- nature preserve?

LEG. FISHER:

Onto the Chandler Estate and the nature -- yeah.

LEG. ALDEN:

They're not allowed that type of use are they?

LEG. FISHER:

Walking is allowed.

LEG. FIELDS:

That's passive.

LEG. ALDEN:

I thought you were talking about canoeing.

LEG. FIELDS:

Well, canoeing is still passive.

MR. GRECCO:

Well, canoeing, you know, you would portage it I guess, and then go right out into the bay.

LEG. FIELDS:

Right.

MR. GRECCO:

I don't see it as canoeing, hooking up and that sort of thing, but you could access it from the road.

CHAIRMAN BISHOP:

You can't paddle. You can only just glide.

LEG. FIELDS:

Right.

LEG. ALDEN:

In summary though, we're taking on a liability. Now we're responsible for this property. If somebody gets injured on it, again, we're responsible for this property. We're responsible for them being injured. We taking property off the tax roll, which this property if it was -- if you were able to develop it or use it, all right, maybe. But it's not even developable. Is that a word?

MR. GRECCO:

If the Planning Department looked two years ago at what should be acquired in this Chandler Estate Property, they would have included this quite frankly.

MR. ISLES:

If I could just say one thing and that is that you're right in terms of some of the downside that there is extra exposure and liability to the County perhaps. The other side though is that it is freshwater wetlands. It is adjacent to County property. It does have scenic value in terms of the Pipestave Road access. And so we do feel from the Planning Department's standpoint that the benefits from the County ownership that we already have there would be enhanced with this number one.

In terms of the tax offset it's not a used parcel. It's not a valuable parcel in terms of if you can't build on it and so forth. So I think that would be pretty negligible in this case. If we didn't own the adjacent land I'd say it's a questionable purchase. Maybe it's a town donation at that point. But I think since we do own Chandler Estate, we just purchased that, I think it does make sense

just in the Department's opinion.

LEG. ALDEN:

How much additional traffic do you think -- how much additional exposure are we going to have to this wetlands?

MR. ISLES:

It's about an acre of land that we're talking about here combined with the Chandler Property. And here again, it is freshwater wetlands. It's a pretty decent piece.

LEG. FIELDS:

What does it amount to in tax money that we're --

MR. GRECCO:

It's hard to figure because --

LEG. FIELDS:

Sort of --

MR. GRECCO:

Well. It's -- the lot is assessed with the house on the other side as one lot/ so I can't give you a break out. I wouldn't even venture a guess. But it cannot be significant. The loss of tax liability is not significant.

LEG. ALDEN:

Do you know what the rate is in this -- where is this?

MR. GRECCO:

This is Mount Sinai.

LEG. FIELDS:

But Cameron, anytime we acquire land, either by purchasing it in the County or by taking it, it's coming off the tax rolls. And this is for an environmental purpose, not just because we feel like it.

LEG. ALDEN:

Well, what's the environmental purpose then?

LEG. FIELDS:

It's a wetland.

LEG. ALDEN:

Right. But it can't be used right now.

LEG. FIELDS:

But it's wetland. A wetland serves --

LEG. ALDEN:

But it can't be used.

MR. GRECCO:

This is a very fertile wetland. It has clams, it has all kinds of water fowl. I mean, I'm --

LEG. ALDEN:

I'm just going to throw something else out here too, but I don't know if everybody has noticed, but I have --

CHAIRMAN BISHOP:

We have the right to manage the property if we own it, if we control it. And the question is, is it worthwhile to take something for free in order to control it? I would think a majority of us think so in the affirmative perhaps not.

LEG. ALDEN:

Okay. But let me just throw one other thing out to in case everybody hasn't noticed. There's a resolution that's been tabled a few times, but there's a resolution that would provide pilot payments to any property that Suffolk County acquires. The pilot payments would go to the towns and to the school districts.

CHAIRMAN BISHOP:

It gets thrown out because we're not doing anything.

LEG. ALDEN:

No, I'm just saying, you know, in case nobody's noticed that, you know, the more property we acquire, the more of our tax or these pilot liabilities we might have if that resolution should somehow escape and get passed in full Legislative body. But here I don't almost -- I don't see a compelling need to take on more liability on the part of the County and decrease taxes.

LEG. BINDER:

Mr. Chairman. Mr. Chairman, let me ask, if I can, along the lines of Legislator Alden's questions, what is the danger -- I mean, it's easy to say well, it's environmental. I mean, it's a great word because we all shudder as politicians at the word environmental because we don't want to be anti-environmental, but saying that it's wetlands doesn't say that it's in danger of development misuse, antidevelopment pressures, antienvironmental pressures --

MR. GRECCO:

You might even consider acquiring this under that road spill off fund.

MS. FICHER:

The Storm Water Run Off Control Fund.

MR. GRECCO:

Thank you. The Storm Water Run Off Control Fund under the new program. This would be a great candidate for that.

LEG. BINDER:

Okay. So now explain to me what having it and what we're going to do -- because, look, we just want to understand, someone here is going to get a nice little tax right off. We are going to gain a liability and we're going to lose taxes, a dollar, five dollars, thousand dollars, whatever it is. So that's what's going to happen when we do this. Excuse me. We're just trying to understand for that -- you know, I haven't made the decision. I'm basically listening. I'm trying to understand what we're going to then do that will make it beneficial for

us to have it so we understand why we should take this. Why if it's not in someone else's hands it's not in great shape? What are we going to do that would make this a benefit to have?

MR. GRECCO:

Okay. The fact that it's just wetlands in and of itself is not a compelling argument. I understand that. But we spent five million dollars on the Chandler Estate, and the Chandler Estate happens to be a very environmentally sensitive property with many different forms of wildlife. Acquiring this parcel allows us to control something adjacent to that property to have low tide access to the property and to control some runoff if necessary from the road.

LEG. BINDER:

And how do we do that so I understand that -- because that's important. That's something that we could do if it were ours that we couldn't do otherwise.

MR. GRECCO:

And we would end up buying it.

LEG. BINDER:

So I want to -- right, no, no. I understand. So I want to understand what do we do -- how does that work? How do we control storm water runoff, which is a very important environmental question.

MR. ISLES:

Well, what we could do is there could be a need for certain types of storm water control devices, a catch basin, an oil separator, that if we owned the property -- and that's actually something we're going to

talk to you about overall in that program. It would make it much easier for us to stop direct runoff into the wetlands area or somehow intercept it. It would also give us the ability that since we do have a substantial investment, a five million dollar investment in the Chandler Estate to protect that. Not only environmentally by having this buffer around it, but for such things as private property, owners do enjoy the rights to put up fences and so forth, to impair the view and access and so forth. Even though they can't get a building permit say to build a house, but they have rights to enjoy and would be giving up something in that exchange. So it can very definitely be a candidate for a storm water runoff program.

LEG. BINDER:

Is that basically because it's so close to the road?

MR. ISLES:

Yeah. It's directly adjacent to the road, and it's actually longitudinal. It's got a quite a bit of frontage along the road.

LEG. BINDER:

Right, frontage along the side of the road. So my question I guess would be, I mean, I would then want to do this for that reason then. If that's what we're looking to do to protect the wetlands and if you're telling me that that's something we're going to start planning for and looking into doing, particularly when there are other parcels that are going to come across on that whole strip, so you can do a

whole storm water runoff protection program because it's very sensitive, and it's right by a road, and obviously there's oil and all kinds of things that will run off from the road into the water. That sounds great to me, and if you -- so now I'm going to put it to you a little bit, I would like to hear that you're going to do that. You're going to move to protect that area in terms of runoff, and I wouldn't have a problem taking this donation and I think -- because then it merits -- it merits and warrants taking on the liability.

CHAIRMAN BISHOP:

I'm going to --

LEG. FIELDS:

Tom, is this --

CHAIRMAN BISHOP:

I'm gonna -- hold on.

LEG. FIELDS:

-- a candidate for wetland restoration?

LEG. BINDER:

I'd actually like an answer to the question if it's okay. Thanks.

MS. FICHER:

It could be once we own it.

MR. ISLES:

Well, I can't answer your question. It's --

CHAIRMAN BISHOP:

Legislator Binder, is it your intention to vote to table this? Because we could stop it now. If the votes aren't there -- there's only five of us.

LEG. BINDER:

I'm looking -- I'm actually --

CHAIRMAN BISHOP:

I'm just looking to expedite.

LEG. BINDER:

I understand, but I'm waiting for an answer. If I could just get an answer I can maybe answer your question.

MS. FICHER:

I did. If we owned the property, it could be a candidate for the water quality component initiative.

LEG. FISHER:

Motion to approve.

LEG. FIELDS:

Second.

CHAIRMAN BISHOP:

Do you want to table it?

LEG. FISHER:

Why? But there's a motion to approve.

CHAIRMAN BISHOP:

Quorum of seven.

LEG. BINDER:

Here's --

LEG. ALDEN:

No, all you need is just present. We have enough --

CHAIRMAN BISHOP:

That's not the way it works.

LEG. BINDER:

No, he's saying there might not be enough -- there are enough members here, but not enough maybe, yes votes. My concern --

LEG. ALDEN:

It's who's present.

LEG. BINDER:

No. It's not by who's present. It's the majority of the total number.

CHAIRMAN BISHOP:

You need four votes to pass something.

LEG. BINDER:

Only for tabling it's the majority present. Trust me. Just the question would be -- I don't want to beat this dead horse at twenty to six, but I don't know how something becomes -- well, it's about a liability and something you to take off the tax rolls. So my question would be how something becomes a candidate. I'd like to understand that more before doing it. So maybe we can do this at the next meeting. I don't think two weeks would change anything at this point. And since we --

CHAIRMAN BISHOP:

Okay. So that's your intention then --

LEG. BINDER:

Right.

CHAIRMAN BISHOP:

-- to table it.

LEG. BINDER:

And then I would ask them to --

CHAIRMAN BISHOP:

If there's only three votes in favor of it --

LEG. BINDER:

-- at another meeting just give me more information, or between this meeting and that, get me more information on that.

CHAIRMAN BISHOP:

Okay. Motion to table.

LEG. FISHER:

Okay. Could I just make one comment to Legislator Binder and maybe he would vote to approve it because --

LEG. BINDER:

Based on her comments.

LEG. FISHER:

Because I'm very perplexed by the arguments against this. It's an incredibly beautiful piece of property and when we set criteria in Greenways as to our prioritization list, having a piece of property that was an important part of that, an environmentally sensitive piece of property. Also property that's adjacent to County property, to existing parkland was another important criteria. This meets those criteria.

We just had a very long conversation about being oversubscribed, spending millions of dollars on property that really can't be developed in the core Pine Barren core. We're spending money on that. All property has to be managed. All property presents liability and here we're being given access to a County park that's really very beautiful and we spent quite a bit of money on it. I would like to be able to walk onto that property more easily. This would make it easier for people to enjoy their -- our property, our park.

LEG. BINDER:

And my concern I guess is since we now have a question of something that can be very positive in terms of taking care of this area, storm water runoff could really protect this area. I would like to understand more because if we were to approve it contingent on being a candidate and we knew that would happen, we'd actually be able to push the process forward on doing something to protect it. So I think we might be on the verge of that, but I don't understand what it takes to make a candidate.

Now, we could pursue this for another, whatever minutes, or we could do it at the next meeting. It's not that I propose in the end to oppose this we may be able to push something very positive here in protection of this area in terms of storm water runoff.

LEG. FISHER:

I thought that Laurretta said that that was an important piece of this, didn't you Laurretta, that if we owned it that it would certainly be something that we would be --

LEG. BINDER:

She said it would be an a candidate. I don't know what that means. I don't know where that puts us.

MS. FISHER:

It would have to be evaluated to a procedure that we were going to present with regard to the whole program.

LEG. BINDER:

Okay. So well, okay, we'll go into the question then. So you don't go through the procedure in evaluation -- you won't do an evaluation unless we've owned it? Because if you -- let's say you did that evaluation, you can come back to us. We can say that to us it's a priority. We'll pass it with that caveat, which would then force you kind of to start this process if we thought this was an important thing to do. From our point it would then push the process of

preservation in a more important sense that it would protect storm water runoff and we'd be part of pushing that process.

CHAIRMAN BISHOP:
This is becoming a debate.

MS. FICHER:
I think part of the hesitation is the fact that there is a viable wetland on it and it would have to -- I would like to evaluate it from that perspective to look at it from both a wetland restoration improvement and storm water runoff improvement and see where the both can merge if it can and I -- my priority would be to protect the wetland and if it is a viable wetland in tact that has to be a top priority.

CHAIRMAN BISHOP:
Hold on. Now we're not going to go down that path again. Times up. The votes are there to table it. There are not enough votes to approve it. We're not going to -- take it up again next time if you want. Motion to table my Legislator Binder. Second by Legislator Alden. All in favor?

LEG. FIELDS:
Opposed.

LEG. FISHER:
And I'm opposed too.

CHAIRMAN BISHOP:
Okay. I would be opposed, but to keep the resolution alive I will vote to table. (Vote: 3-2-0-2 - Opposed: Legislators Fields & Fisher Not Present: Legislators Caracciolo & Guld). So it's tabled to the next meeting.

Sorry about that if I trampled on anybody's rights, but it's time to move on.

LEG. FISHER:
It's okay.

CHAIRMAN BISHOP:
What's that, the second resolution we did today?

LEG. FISHER:
It's not even my district.

CHAIRMAN BISHOP:
Okay. 1325 - Authorizing the acquisition of Development Rights to Farmlands by the County of Suffolk , Phase V (Omnibus 2001(1)) (County Executive) Corrected Copy.

LEG. FISHER:
Motion to approve.

CHAIRMAN BISHOP:
What does this mean? What is this, Counsel?

MR. SABATINO:
Well, this is a large list of parcels that are being proposed for acquisition from bond proceeds which have previously been appropriated --

CHAIRMAN BISHOP:
A blanket authorization?

MR. SABATINO:
No, it's not. It lists the parcels. It's a very long list. I made a -- they don't itemize the acreage, but I guess it looks like to me it's about eighteen hundred acres, but that was just my rough, you

know, internal calculation. It lists the owners, and it lists the acreage. On Exhibit A it into, you know, line by line by line, and it would authorize the actual negotiation and acquisition of the parcels. It would actually approve the acquisition of the parcels I should say. They've already been negotiated. This would authorize the acquisition.

MR. GRECCO:

These have been approved by the Farmland Select Committee. You do have money in the farmland fund.

CHAIRMAN BISHOP:

And you've -- they're negotiated --

MR. GRECCO:

We --

CHAIRMAN BISHOP:

Are these the seventy thirty program or the --

MR. GRECCO:

No, this is the one hundred percent capital program. The Jon Klein Program.

CHAIRMAN BISHOP:

Right.

MR. SABATINO:

The only question -- the fiscal impact statements said that there was no additional fiscal impact, but I guess the concern was just to make

sure it's within the available appropriations that we have. That was the only question I had when I went through this.

CHAIRMAN BISHOP:

While you look Legislator Alden will commence his questions.

LEG. ALDEN:

How much is the total acquisition?

MR. GRECCO:

Oh, I couldn't tell you. This is a wish list that has been generated by the towns, have been reviewed by the Farmland Select Committee and are here ready to be acquired. I can tell you we have --

LEG. ALDEN:

Predominantly thought from Riverhead, right?

MR. GRECCO:

Primarily Riverhead and we've taken the position Riverhead is ground zero. They're under incredible development pressure. I have contracts subject to this approval going -- this reso going through to close.

LEG. ALDEN:

This is --

CHAIRMAN BISHOP:

But not everything that you have you have -- not -- you have some in this resolution that you have in contract and others that are just a wish list.

MR. GRECCO:

That's correct. I have some in contract subject --

CHAIRMAN BISHOP:

So it's a mix.

MR. GRECCO:

-- to the closing.

LEG. ALDEN:

Is this part of the twenty million dollars?

MR. GRECCO:

No.

LEG. ALDEN:

This is an additional --

MR. GRECCO:

No. This is our --

LEG. ALDEN:

This is an add on.

MR. GRECCO:

I think we appropriated five million for this last year.

LEG. ALDEN:

So there's twenty million dollars that have appropriated. There's five -- this is five million added on to that, and then there was eight million more that was --

MR. GRECCO:

No. We're talking -- there are different farmland programs.

LEG. ALDEN:

Right.

MR. GRECCO:

Actually, you go can go through farmland four ways. You can do it under Pres. Partnership, which you could do everything else under. You can do it under farmland Greenways, which is the 70/30. This comes out of the capital appropriations for farmland development rights, which is a hundred percent. And the last and the new program is the drinking water -- the quarter percent program, which breaks out between drinking water and farmland. It throws about three to four million a year into it. This particular list would allow us to buy under the hundred percent program and in some cases depending upon the criteria and the covenants, allows us to get actual reimbursement from the State.

LEG. ALDEN:

Okay. And now --

MR. GRECCO:

So some of these are going to come back to us.

LEG. ALDEN:

I think it was the last committee meeting here you said there was twenty million dollars, then there's a proposal for an additional five or eight million dollars.

MR. GRECCO:

I have surplus of about eight in the farmland one hundred percent -- hundred percent farmland program, the capital program.

CHAIRMAN BISHOP:

Legislator Alden, if I may interrupt. I think this is going the way of the last resolution and Legislator Caracciolo and Legislator Guldi who probably want to vote on this in the first place will be here at the next meeting. Can we approve -- can we discharge without recommendation?

LEG. ALDEN:

Well, I'm not too happy about adding onto our budget, and this is going to increase carrying charges --

CHAIRMAN BISHOP:

This doesn't add on -- well --

LEG. ALDEN:

This is an add on.

CHAIRMAN BISHOP:

It doesn't add onto the budget.

MR. GRECCO:

No, no. It just -- this has nothing to do with budgets.

LEG. ALDEN:

When you buy the property, how do we pay for it?

MR. GRECCO:

Well, that's a different resolution.

LEG. ALDEN:

Right. We go out and we have to bond money and then we have to pay that money back.

CHAIRMAN BISHOP:

Right.

LEG. ALDEN:

With interest and principal.

MR. GRECCO:

It's already budgeted.

LEG. ALDEN:

That's what I was just asking you and you said no, this is an add on to that budget.

MR. GRECCO:

No, no, no. You asked --

LEG. BINDER:

Legislator Alden, can I --

MR. GRECCO:

-- to that twenty million. I think you --

LEG. ALDEN:

No, I didn't say that. I just asked --

LEG. BINDER:

Legislator Alden, let me just ask this question. We may -- we haven't bonded it because we haven committed it. We have appropriated, but they didn't go out to bond. That means we don't have debt service incurred. The minute we pass this, we then are moving toward having debt service incurred. That's what happens. So if I can ask Counsel maybe Counsel can explain unless I'm wrong. If this is not approved, then we don't go forward to close. That means money's not spent. That means debt service is not incurred by the County, is that true?

MR. SABATINO:

That's correct because the monies have been appropriated.

LEG. BINDER:

Right, but appropriated doesn't mean that we've incurred actual debt service that has to be paid in the budgetary sense until they're actually closed upon. So I think that's what Legislator Alden's getting at.

MR. SABATINO:

That's why the fiscal impact statement really should --

LEG. BINDER:

Right. That's -- and that's what your point is that it doesn't reflect -- it only reflects that we're not doing anything more than the appropriation, but it doesn't reflect the fact that while that closing spends cash that puts us into a debt service question.

LEG. ALDEN:

I had one other question though.

LEG. BINDER:

Wait a minute, wait a minute. I think this Legislature is going to be revisiting a lot of things. And I think this Legislature --

CHAIRMAN BISHOP:

And that's in line with your position --

LEG. BINDER:

-- is going to have to revisit a lot of things because we are screaming about deficits. I know some Legislators are talking about too much bonded indebtedness and maybe pay as you go and other ways to do it. So my concern is that we should be looking, if we're looking forward to concerns, if we're looking at concerns, then maybe we should be looking at all of our concerns, in terms of fiscal concerns, and this might be one of them.

LEG. ALDEN:

I just had one other fairly quick question. When you mention developmental pressure, don't they have to go before their Town Zoning Board of Appeals and get some kind of --

CHAIRMAN BISHOP:

Yes.

LEG. ALDEN:

Actually, they have to do subdivisions and they have to do all kinds of stuff if they want to develop these. Because these are farmlands that are treated specially even taxwise. So we're assuming also another burden that should be assumed by the town.

Now, as I mentioned before, we really should be looking at the whole preservation and acquisition program in Suffolk County and if we only have limited resources to go out and buy certain properties, again, we're going to have to, I think, we have to revisit where we're going with even like these farmlands and sensitive type of properties, and maybe get an acquisition list in mind and then prioritize all the way down that list what's really more important. Because if we go out and

incur the debt then we've got to pay that debt off, then we can't go and buy things later on that might be sensitive type of properties.

MR. GRECCO:

I agree, but let me --

CHAIRMAN BISHOP:

Mr. Grecco, let me just explain.

MR. GRECCO:

Let me just put a different spin on this.

CHAIRMAN BISHOP:

We're missing two members. You have a clear policy directive that's been given to you to go get these farms. I understand your frustration, but the votes aren't here today. We're going to table it. We'll table it to the next meeting and we'll have a --

MR. GRECCO:

May I --

CHAIRMAN BISHOP:
No.

MR. GRECCO:
Just one last -- look, I've got these deals done.

CHAIRMAN BISHOP:
It's not going to change anything.

MR. GRECCO:
I can use last year's money in surplus.

CHAIRMAN BISHOP:
Then do that.

MR. GRECCO:
Then approve it.

CHAIRMAN BISHOP:
We can't because the two members aren't going to vote for it so --

MR. GRECCO:
Then you know the point is --

CHAIRMAN BISHOP:
Motion to table by Legislator --

MR. GRECCO:
You know, at some point I'm going to come back to you for more money, but I'm saying if there's any fund I am flush with money in it's farmland.

LEG. FISHER:
Right.

MR. GRECCO:
And I have these deals ready to go. And I have it from last year's surplus', which I don't have to come back to you for.

CHAIRMAN BISHOP:
Let me try this.

MR. GRECCO:
At some point I'm going to come to you for the extra five million.

CHAIRMAN BISHOP:
Legislator Binder, and Legislator Alden, as a courtesy to Legislator Caracciolo will you discharge without recommendation --

LEG. BINDER:
No.

CHAIRMAN BISHOP:
-- and you can continue this line of argument on the floor? No. Okay. They've indicated their -- it takes four votes to pass it. They're not here. Motion to table by Legislator Binder. Second by Legislator Alden. All in favor?

LEG. FISHER:
Opposed.

LEG. FIELDS:
Opposed.

CHAIRMAN BISHOP:
Opposed, Legislator Fields and Legislator Fisher. I will approve to keep the built alive and we'll take it up at our next committee meeting. Tabled. (Vote: 3-2-0-2 - Opposed: Legislators Fisher &

Fields - Not Present: Legislators Caracciolo & Guldi).

All right. Now, let's see if they hold true to form.

1337 - Dedicating certain lands now owned by the County of Suffolk to the County Nature Preserve pursuant to Article I of the Suffolk County Charter and Section 406 of the New York Real Property Tax Law (Woodlands in Hauppauge) (Crecca).

LEG. ALDEN:

Explanation.

LEG. BINDER:

I didn't say a word on Legislator Foley's and it seemed to me that everyone else had a problem with Legislator Foley's Resolution 1295. So this is the equivalent. I don't know if you have the same problem with that.

CHAIRMAN BISHOP:

Nice try.

MR. TASSONE:

This particular parcel for those who aren't familiar with it is

sandwiched in between two side roads in Hauppauge right off of New Highway and it's nestled between the backyards of a host of homes on Robins Lane, and a host of backyards also on Autumn Drive, and it really doesn't make -- the sensible thing to do is to preserve it as park land as passive parkland. That's what we're looking to do. We're looking to plant trees there with some civic groups and environmental groups.

Listen, if you're going to make a political faux pas out of this, just table it, but it really makes sense to approve it today and that's really all I have to say about it.

LEG. BINDER:

Mr. Chairman, the question I would have -- we can then use the same question as Legislator Foley's. You had a concern about the duck farm. Do you have a concern here? It's an equivalent resolution, a dedication of property. Do you have a concern about doing this?

MR. ISLES:

Our concerns here are a little bit different from the duck farm. We're not in the midst of a plan on this one. The only couple of comments, number one, is that we do believe that the tax number needs to be corrected from Parcel 150 to Parcel 027. Secondly --

LEG. BINDER:

I'm sure counsel can do that.

MR. ISLES:

Secondly, we would typically request or ask of Public Works if this property is surplus. It would certainly appear that it is surplus. It is wedged between two neighborhoods and certainly would appear to be not suitable for a road, and we'd like to get a confirmation of that. Since originally the County apparently bought this for road purposes, we'd just like to get their sign-off that it's not going to -- they're still not using it for that.

And just the last point is there are two houses that have access to their properties over this property, a portion of this property. So we'd feel that they would need to be cleaned up that they would have a -- they were given building permits within the past couple of years by the Town of Smithtown that the Public Works has acknowledged that, and this would provide for their continued access to their homes.

LEG. FIELDS:

I would make a motion to table.

LEG. FISHER:
Second.

MR. TASSONE:
I just want to say one thing, the Department of Public Works and the Parks Department both have responded so it's favorably in protecting this as park land.

LEG. BINDER:
Why don't we make a -- we'll have a motion to table. What I would suggest is that Legislator Crecca get information that's requested from the Department of Public Works and at the full meeting he can ask for a discharge. If he has that information he can hand it out to the members. He can probably even discharge it, if that, and then Mr. Isles, if you can just let us know if you've gotten that and give us some kind of note at the August, I mean the April 24th meeting that you're comfortable with it.

LEG. ALDEN:
Ask if it's on the auction list.

CHAIRMAN BISHOP:
Is it on the auction list? No. Mr. Tassone, one further thing.

LEG. FISHER:
Mr. Chairman.

CHAIRMAN BISHOP:
What you indicate that the purpose is for the community group to take control of it is contrary to the preserve concept so --

MR. TASSONE:
Well, no.

CHAIRMAN BISHOP:
So you might need to reconcile that at some point.

MR. TASSONE:
It would be used as a passive park preserve where there would be trails and we'd use it as a parks stewardship program for local school districts and --

CHAIRMAN BISHOP:
I don't know if you can do that.

LEG. FISHER:
Yes, you can.

CHAIRMAN BISHOP:
You can? All right. I stand corrected. Anybody else on this?

LEG. FISHER:
Yes. I just had a question for Mr. Isles because he spoke about access and we had a very contentious issue that occurred because of access though nature preserve on a property in Manorville. And so it's very, very important that that be really cleaned up before we go a head with this. I'm sure that my colleagues will remember that that was a very contentious debate. It was very drawn out. There was liability. I think there might have even been litigation that came from that, the easement through nature preserve to private property. So I really want to see that cleaned up before we move forward with this. Thank you.

MS. FICHER:
So do we.

CHAIRMAN BISHOP:
Boy, it's a feisty committee today.

LEG. BINDER:
Motion to table.

CHAIRMAN BISHOP:
Motion to table by Legislator Binder. Second by Legislator Alden.
All in favor? Opposed? 1337 is tabled (Vote 5-0-0-2 - Not Present:
Legislators Caracciolo & Guldi).

Sense Resolutions

Sense 21 - Memorializing resolution request State of New York to
extend and improve the State Super fund to remediate hazardous sites
in 10 years through existing cleanup and liability standards (Bishop)
Corrected Copy. Motion by myself.

LEG. FIELDS:
Second.

CHAIRMAN BISHOP:
Second by Legislator Fisher.

LEG. FIELDS:
No, Fields.

CHAIRMAN BISHOP:
Fields. All in favor? Opposed? Sense 21 is approved (Vote: 5-0-0-2
- Not Present: Legislators Caracciolo & Guldi).

Sense 22 - Memorializing resolution requesting United States
Department of Energy to fund Peconic Cleanup Oversight Committee
laboratory testing (Bishop). Motion by Legislator Bishop. Second
by Legislator -- anybody --

LEG. FIELDS:
Fields.

CHAIRMAN BISHOP:
Fisher. Fisher's turns. All in favor? Opposed? Sense 22 is
approved (Vote: 5-0-0-2 - Not Present: Legislators Caracciolo &
Guldi).

Tabled Prime

1024 - Adopting Local Law No. -2001, a Charter Law to authorize
payments in lieu of taxes (pilots) for Suffolk County Community
Greenways Fund (Caracciolo). Motion to table by Legislator Alden.
Motion -- you want to table subject to call or is that too hostile?
Motion to table, Legislator Alden. Second by myself. 1024 is tabled
all in favor? Opposed? (Vote: 5-0-0-2 - Not Present: Legislators
Caracciolo & Guldi).

1034 - Establishing Suffolk County Aqua Culture Committee in
connection with programmatic dispute. (Guldi). I love that title.

LEG. BINDER:
Table this again.

LEG. ALDEN:
We're not prime.

CHAIRMAN BISHOP:
No. You're misreading it. It took me a couple of times to read it.
It's introductory non prime, there are none. Then the next category
is tabled prime.

LEG. ALDEN:
Oh, I see. I'm sorry.

CHAIRMAN BISHOP:
Was that corrected?

LEG. FISHER:
Table until the sponsor is here.

CHAIRMAN BISHOP:
Table until the sponsor is here is an excellent suggestion. Motion by
Legislator Fisher. Second by Legislator Binder. 1034 is tabled
(Vote: 5-0-0-2 - Not Present: Legislators Caracciolo & Guldi).

1067 - Approving acquisition under Suffolk County land Preservation
Partnership Program (Oak Beach Inn Property) Town of Babylon (Bishop).
I'll make a motion to table subject to call. Second by Legislator
Fisher. All in favor? Opposed? 1067 is tabled subject to call
(Vote: 5-0-0-2 - Not Present: Legislators Caracciolo & Guldi).

1021 - Adopting Local Law No. 2001, a Charter law to authorize low
interest borrowing for land and water protection under the 1/4 %
Environmental Protection Program (Bishop) Corrected Copy.

We have wording, but Legislator Caracciolo has not signed off on it.
He's cosponsor. Motion by myself to table. Second by Legislator
Fields. All in favor? Opposed? 1021 is tabled (Vote: 5-0-0-2 - Not
Present: Legislators Caracciolo & Guldi).

1185 - Approving acquisition under Suffolk County Land Preservation
Partnership Program (Ridgehaven Estates LLC Property) Town of
Brookhaven (Haley).

Land partnership preservation requires a partnership obviously. Do we
have a partnership?

LEG. FIELDS:
Do we have a Town Resolution?

MR. SABATINO:
We're still waiting for a Town Board Resolution.

LEG. BINDER:
Motion to table.

CHAIRMAN BISHOP:
Motion to table by Legislator Binder. Second by Legislator Bishop.
All in favor? Opposed? 1185 is tabled (Vote: 5-0-0-2 - Not Present:
Legislators Caracciolo & Guldi).

1197 - Adopting Local Law No. -2001, a Local Law to ban sale of
mercury thermometers in Suffolk County (Cooper). Motion by myself.
Second by Legislator Fisher. All in favor? Opposed? 1197 is
approved (Vote 5-0-0-2 - Not Present: Legislators Caracciolo & Guldi).

1198 - Implementing Greenways Program in connection with acquisition
of active parklands at Village of Amityville (Bishop).

MR. SABATINO:
Still need a Town Board Resolution.

CHAIRMAN BISHOP:
All right. Motion to table by myself. Second by Legislator Fisher.
All in favor? Opposed? Tabled (Vote: 5-0-0-2 - Not Present:
Legislators Caracciolo & Guldi).

1230 we did. 1258 - Authorizing Planning steps for implementing
Greenways Program in connection with acquisition of active parklands
at Park Avenue, C.R. 35, Hilaire Woods (Town of Huntington) (Cooper).

This is the one that we tabled last time. Motion to table subject to call by myself. Second by Legislator Binder. The planning steps are moving forward by virtue of other resolutions which were approved. All in favor? Opposed? 1258 is tabled subject to call (Vote: 5-0-0-2 - Not Present: Legislators Caracciolo & Guldi).

All right. That concludes our agenda. Anything else before this committee at this time? Mr. Grecco.

MR. GRECCO:

I would ask if you would reconsider 1230 for just tabling, rather than table subject to call.

LEG. BINDER:

Motion the reconsider.

CHAIRMAN BISHOP:

Motion to reconsider by Legislator Binder. Second by Legislator Alden. 1230 -- motion by Legislator Binder, second by Legislator Alden. All in favor? Opposed? 1230 is tabled (Vote: 5-0-0-2 - Not Present: Legislators Caracciolo & Guldi).

MR. GRECCO:

Thank you very much.

(*The meeting was adjourned at 6:03 P.M.*)

Legislator David Bishop, Chairman
Budget Committee